

# PHOENIX CITY COUNCIL FORMAL AGENDA



Mayor Greg Stanton

Vice Mayor  
District 8  
Michael Johnson

District 1  
Thelda Williams

District 2  
Jim Waring

District 3  
Bill Gates

District 4  
Tom Simplot

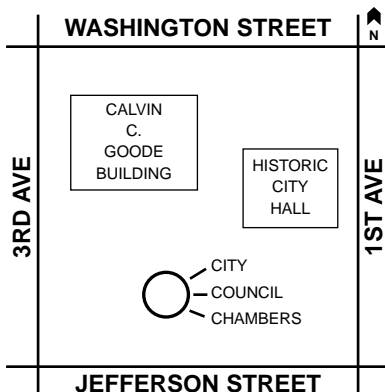
District 5  
Daniel Valenzuela

District 6  
Sal DiCiccio

District 7  
Michael Nowakowski

*Online agendas and  
results available at  
[www.phoenix.gov](http://www.phoenix.gov)*

City Council Chambers  
200 W. Jefferson St.  
Phoenix, AZ 85003



## WELCOME!

You are now participating in the process of representative government. We welcome your interest and hope you and your friends will often attend Phoenix City Council meetings. Democracy cannot endure without an informed electorate. Phoenix utilizes a Council-Manager form of local government. Policy is set by the Mayor and Council who are elected by the people, and carried out by the City Manager, who is appointed by the Council. The Council decides what is to be done and the City Manager, operating through the entire City staff, does it. This separation of policy-making and policy administration is considered the most economical and efficient form of city government.

## FORMAL CITY COUNCIL MEETINGS

The Council takes official action at "formal" meetings each Wednesday at 5:00 p.m. Ordinances, Resolutions and Formal Actions are officially enacted or rejected at this time from the agenda. Although this agenda is subject to change from time to time, all changes to the printed agenda will be available 24 hours prior to the meeting.

The "formal" meeting may appear to proceed extremely fast, with important decisions reached after very little discussion. Actually, Council members receive the agenda the Friday prior to the meeting. They have the opportunity to study every item on the agenda over the weekend and ask questions of City staff members. If no additional facts are presented at the "formal" meeting, they often act on matters, particularly routine ones, without further discussion.

## HOW CITIZENS CAN PARTICIPATE

Citizens may appear before the City Council or a Council Subcommittee to express their views on any published agenda item. In addition, a Citizen Comment Session is held on Wednesdays immediately following the formal City Council meetings which begin at 5:00 p.m. The City Council does not meet every Wednesday, so please call the City Clerk Department at 602-262-6811 to confirm the date and time of the next formal meeting.

If you have an individual problem involving the City, you are encouraged to contact your District Council member at 602-262-7029 or the City Manager's Office at 602-262-4449. To reach the Mayor's office, call 602-262-7111. We will do everything possible to be responsive to your individual requests.

## REGISTERED LOBBYISTS

Individuals paid to lobby on behalf of persons or organizations other than themselves shall register with the City Clerk prior to lobbying or within five business days thereafter and must re-register annually. If you have any questions about registration or whether or not you must register, please contact the City Clerk's Office at 602-256-3186.

An assistive listening system is available in the Council Chambers for individuals with hearing loss. Headset units are available at the entrance table in the Chambers. In addition, the City Clerk's office will provide sign language interpreting services. Please call (voice) 602-256-3186 or (TTY) 602-534-2737 as early as possible to coordinate needed arrangements.

Si necesita asistencia o traducción en español, favor de llamar lo mas pronto posible a la oficina de la Secretaría Municipal de Phoenix al 602-256-3186.

# City of Phoenix Council members and district boundaries



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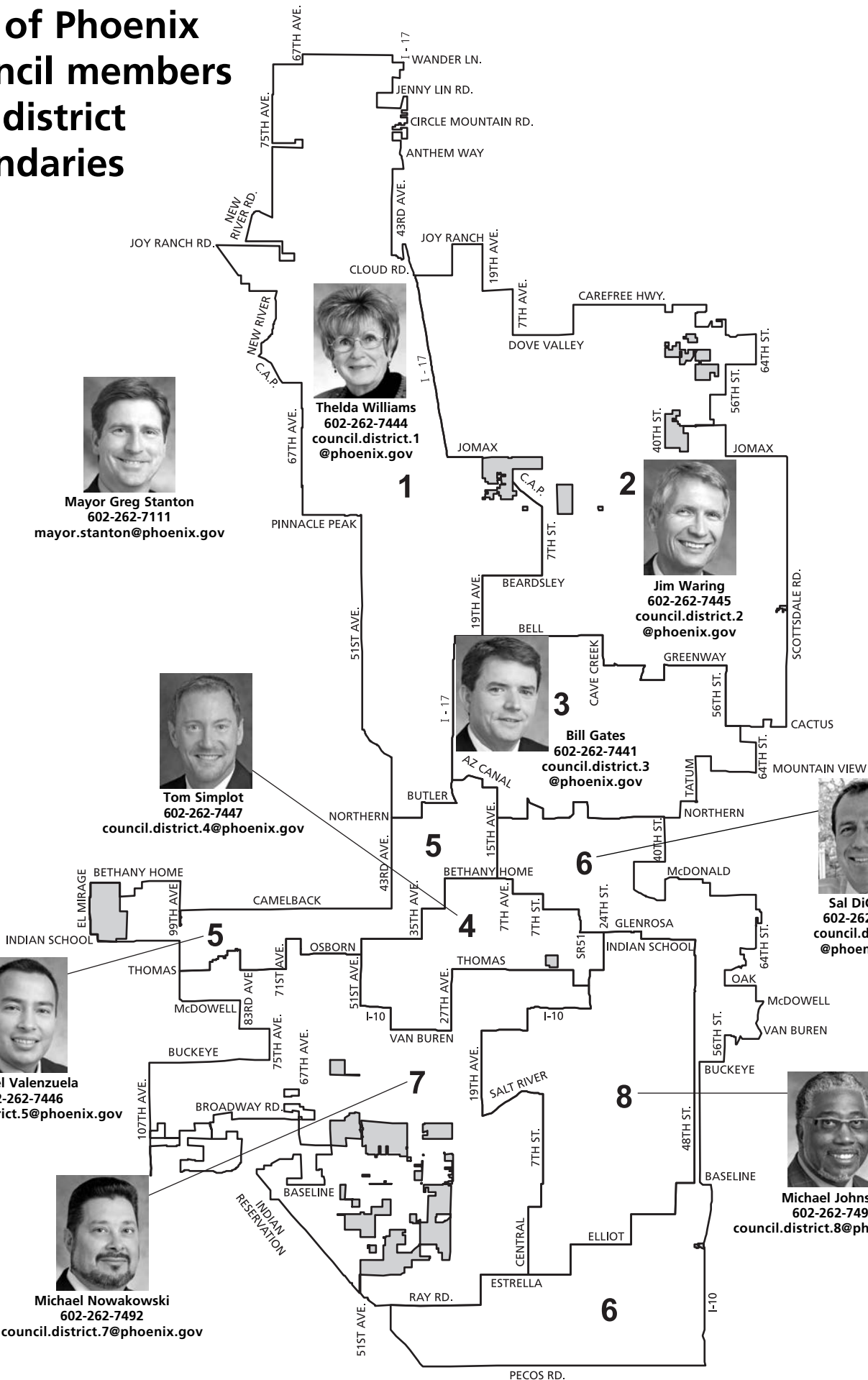
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COUNCIL CHAMBERS, 200 WEST JEFFERSON  
PHOENIX, ARIZONA 85003**

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[ITEM 101](#)

CITYWIDE

AMEND AGREEMENT 125964 WITH SAIC,  
ENERGY, ENVIRONMENT & INFRASTRUCTURE,  
LLC

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[ITEM 102](#)

DISTRICT 1

FINAL PLAT - STETSON VALLEY PARCEL 23 -  
110049

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**AGENDA FOR FORMAL MEETING**  
**PHOENIX CITY COUNCIL**  
**WEDNESDAY, MAY 30, 2012, 5:00 P.M.**  
**COUNCIL CHAMBERS, 200 WEST JEFFERSON**  
**PHOENIX, ARIZONA 85003**

**INVOCATION**

The invocation to be given by Reverend Alvin Bibbs Sr., CEO and Executive Director, The Rock at 32nd Street.

**PLEDGE**

The Pledge of Allegiance to the Flag to be led by Councilman Michael Nowakowski.

**ROLL CALL**

**MINUTES OF MEETINGS**

(Continued from May 16, 2012) - For approval or correction, the minutes of the special meeting of April 18, 2012. (Submitted to Mr. DiCiccio)

For approval or correction, the minutes of the formal meeting of April 18, 2012. (Submitted to Mr. Waring)

For approval or correction, the minutes of the formal meeting of May 2, 2012. (Submitted to Mr. Johnson)

For approval or correction, the minutes of the recessed meeting of May 2, 2012. (Submitted to Mr. Gates)

For approval or correction, the minutes of the special meeting of May 14, 2012. (Submitted to Mr. Nowakowski)

**BOARDS AND COMMISSIONS**

Mayor's appointments to Boards and Commissions.

City Council Members' appointments to Boards and Commissions.

The names of persons being recommended for appointment and the Board, Commission, or Committee to which their appointments are being recommended are available in the City Clerk's Office, 15th Floor, Phoenix City Hall, 200 West Washington Street, not less than 24 hours prior to the meeting.

**ITEM 1**

**CITYWIDE**

**SUSPENSION OF RULES - SWEARING IN OF  
MUNICIPAL COURT JUDGE**

Request to suspend the rules and change the order of business to permit administering the oath of office for the Honorable

Cynthia Certa for a term to expire on January 19, 2015, as a Judge of the Phoenix Municipal Court.

Suspension of the rules and changing the order of business of the formal City Council meeting is required by Rule 7(b) of the Rules of Council Proceedings.

This item is recommended by Ms. Takata and the City Council Office.

**ITEM 2**                      **CITYWIDE**                      **SUSPENSION OF RULES - BUDGET ITEMS**

Request to suspend the rules and change the order of business to permit holding public hearings in connection with the 2012-2017 Capital Improvement Program, and the tentative adoption of the 2012-2013 Annual Budget.

Suspension of the rules and changing the order of business of the regular City Council meeting is required by Rule 7(b) of the Rules of Council Proceedings.

This item is submitted by Mr. Zuercher and the Budget and Research Department.

**ITEM 3**                      **CITYWIDE**                      **PUBLIC HEARING -  
2012-2017 CAPITAL IMPROVEMENT PROGRAM**

Request to conduct a public hearing on the 2012-2017 Capital Improvement Program for purposes of receiving public comments, as required by the City Charter.

This item is submitted by Mr. Zuercher and the Budget and Research Department.

**ITEM 4**                      **CITYWIDE**                      **RESOLUTION 21049 - ADOPTION OF THE 2012-  
2017 CAPITAL IMPROVEMENT PROGRAM**

Request to approve a resolution adopting a 2012-2017 Capital Improvement Program (CIP) for the City of Phoenix. This resolution does not appropriate or commit any public funds, but represents an endorsement of the proposed capital improvements and the plan of expenditure as a reasonable and desirable plan to be accomplished by the City. A five-year capital plan is considered a best financial practice.

The portion of the five-year plan funded with General Obligation Bonds was recommended by the 2006 Bond Committee on April 19, 2012. The CIP was reviewed by the City Council at its April 3, 2012, Policy meeting.

This item is also recommended by Mr. Zuercher and the Budget and Research Department.

**ITEM 5**                      **CITYWIDE**                      **PUBLIC HEARING -  
TENTATIVE ADOPTION OF THE 2012-2013  
ANNUAL BUDGET**

Request to conduct a public hearing on the tentative adoption of the 2012-2013 Annual Budget, as required by the City Charter and State statute.

This item is submitted by Mr. Zuercher and the Budget and Research Department.

**ITEM 6**                      **CITYWIDE**                      **ORDINANCE S-38826 - TENTATIVE ADOPTION  
OF THE 2012-2013 ANNUAL BUDGET**

Request to adopt the tentative estimates of the amounts required for public expense for operating funds for the City of Phoenix for the Fiscal Year 2012-2013; adopting a tentative budget; setting forth the receipts and expenditures, and the amounts estimated as collectible for the fiscal year, and the amount proposed to be raised by direct property taxation for primary and secondary purposes; giving notice of the time and place for hearing taxpayers and for adoption of the budget and fixing the tax levies.

This reflects the budget approved by the Council on May 15, 2012, and complies with requirements set forth in the City Charter and Code, and State statutes. Final adoption is scheduled for June 19, 2012.

This item is recommended by Mr. Zuercher and the Budget and Research Department.

**ITEM 7**

**CITYWIDE**

**ORDINANCE S-38827 - TENTATIVE ADOPTION  
OF THE 2012-2013 CAPITAL FUNDS BUDGET**

Request to adopt the tentative Capital Fund budget for the City of Phoenix for the Fiscal Year 2012-2013.

This adopts the tentative 2012-2013 Capital Fund budget for the fiscal year beginning July 1, 2012 and ending June 30, 2013. The Capital Fund budget will be funded from the sale of authorized property tax and revenue supported bonds, non-profit corporation bond financing, federal and state funds, passenger facility charges, participation by other governmental entities in certain projects, development impact fees, capital grants and gifts, capital reserves, solid waste remediation, and other capital funding sources.

This reflects the budget approved by the Council on May 15, 2012, and complies with requirements set forth in the City Charter and Code, and State statutes. Final adoption is scheduled for June 19, 2012.

This item is recommended by Mr. Zuercher and the Budget and Research Department.

**ITEM 8**

**CITYWIDE**

**ORDINANCE S-38828 - TENTATIVE ADOPTION  
OF THE 2012-2013 REAPPROPRIATED FUNDS  
BUDGET**

Request to adopt the tentative Reappropriation budget for items of expenditure previously adopted as part of the 2011-2012 Fiscal Year Operating and Capital Funds budgets of the City of Phoenix but remaining as unexpended funds as of June 30, 2012.

This adopts the tentative budget of the City of Phoenix for encumbrance (outstanding contracts) balances at June 30, 2012, to allow for liquidation of those balances during the 2012-2013 Fiscal Year.

- This complies with requirements set forth in the City Charter and Code, and State statutes.

This item is recommended by Mr. Zuercher and the Budget and Research Department.

**LIQUOR LICENSE APPLICATIONS**

**ITEM 9**

**DISTRICT 1**

**LIQUOR LICENSE APPLICATION - INNPLACE**

Request for a Series 11, Hotel/Motel-All Liquor on Premises, liquor license in an area zoned RSC. Arizona State Application 11077022.

Applicant: Julie Martini, et. al.  
InnPlace  
10220 North Metro Parkway East

This request is for a new Series 11 liquor license for a hotel. This location was previously licensed for liquor sales as Four Points by Sheraton and is currently operating with an interim permit. The operation plan filed with the application shows that the restaurant area seats 100 and the bar area seats 39. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Friday, June 8, 2012.

Consideration may be given only to the applicant's personal qualifications and not to the location.

1. Department of Liquor Licenses and Control Public Access Data - This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.
2. Police Calls for Service - This information is not provided due to the multiple ownership interests of the applicant.
3. Public Opinion - No petitions or protests have been received.
4. Applicant's Statement - The applicant submitted the following statement in support of this application. Spelling, grammar, and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire:

I have the capability, reliability, and qualifications to hold a liquor license because: "Prism Hospitality, LP is an experienced hotel management company that holds various liquor licenses for hotels across the country."

5. Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Ms. Takata and the City Clerk Department.

**ITEM 10**

**DISTRICT 2**

**LIQUOR LICENSE APPLICATION - SPECIAL  
EVENT - AMERICAN LIVER FOUNDATION**

The following is an application for a Special Event liquor license for temporary sale of all liquors. There are no departmental objections and no protests.

Series Definition

SE - Special Event License for temporary sale of all liquors

<u>District</u>	<u>Applicant Name and Address</u>	<u>Event Information</u>
2	Shari Ordog American Liver Foundation 4545 East Shea Boulevard, Suite 164  (Dinner/Live and Silent Auction)	- <u>Event Location:</u> 6902 East Greenway Parkway - <u>Day/Date/Time:</u> Thursday, June 7, 2012 6:00 p.m. to 11:00 p.m. - <u>Total Expected Attendance:</u> 360

Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Ms. Takata and the City Clerk Department.

**ITEM 11**                      **DISTRICT 2**                      **LIQUOR LICENSE APPLICATION - LOS OSUNA  
TEQUILA**

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Request for a Series 4, Wholesaler, liquor license in an area zoned C-2. Arizona State Application 04077031.

Applicant:                      Lenn Pritchard, Agent  
   Los Osuna Tequila  
   4705 East Carefree Highway, Suite 130

This request is for a new Series 4 liquor license for a wholesaler. This location was not previously licensed for liquor sales and does not have an interim permit. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Friday, June 15, 2012.

Consideration may be given only to the applicant's personal qualifications and not to the location.

1. Department of Liquor Licenses and Control Public Access Data - This database indicates that the applicant does not hold an interest in any other liquor license in the State of Arizona.
2. Police Calls for Service - Not applicable since the applicant does not hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - No petitions or protests have been received.
4. Applicant's Statement - The applicant submitted the following statement in support of this application. Spelling, grammar, and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire:

I have the capability, reliability, and qualifications to hold a liquor license because: "I previously held the liquor license at Dove Valley Ranch Golf Course."

5. Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Ms. Takata and the City Clerk Department.

**ITEM 12**                      **DISTRICT 4**                      **LIQUOR LICENSE APPLICATION - THAI E SAN  
RESTAURANT**

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Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned C-2. Arizona State Application 12079111.

Applicant:                      Kevin Kramber, Agent  
   Thai E San Restaurant  
   616 West Indian School Road

This request is for a new Series 12 liquor license for a restaurant. This location was previously licensed for liquor sales and is currently operating with an interim permit. The operation plan filed with the application shows that the restaurant area seats 55 and there is no bar area. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Sunday, June 10, 2012.

Consideration may be given only to the applicant's personal qualifications and not to the location.

1. Department of Liquor Licenses and Control Public Access Data - This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

2. Police Calls for Service - This information is not provided due to the multiple ownership interests of the applicant.
3. Public Opinion - No petitions or protests have been received.
4. Applicant's Statement - The applicant submitted the following statement in support of this application. Spelling, grammar, and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire:

I have the capability, reliability, and qualifications to hold a liquor license because: "I currently am "agent" on approximately 30 liquor licenses statewide. The Manager on premise day to day, Vimolwan Pongtratic, has approved DLLC Title IV liquor training basic & management as well over 7 years restaurant experience."

5. Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Ms. Takata and the City Clerk Department.

**ITEM 13**

**DISTRICT 4**

**LIQUOR LICENSE APPLICATION - LOS PORTALES RESTAURANT**

Request for a Series 6, On Sale-All Liquor, liquor license in an area zoned A-1. Arizona State Application 06070545.

Applicant:                      Sarkawt Shwani, Agent  
    Los Portales Restaurant  
    2814 North 35th Avenue

This request is for an ownership and location transfer of a Series 6 liquor license from Glendale for a bar. This location is currently licensed for liquor sales with a Series 12, Restaurant-All Liquor on Premises, liquor license and does not have an interim permit. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Monday, June 11, 2012.

Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - The ownership of this business also has an interest in the following liquor licenses:

Los Portales Restaurant (Series 12)	2 Friends Market
2814 North 35th Avenue	909 East Lemon Street
Phoenix, Arizona	Tempe, Arizona

Los Portales Restaurant (Series 12)

In September 2008, a warning letter was issued for failing to maintain an employee log.

2. Police Calls for Service - The Department reports the following number of aggregate calls for police service in the last 12 months at establishments located in the City of Phoenix in which the applicant has an ownership interest:

Los Portales Restaurant (Series 12)  
 2814 North 35th Avenue  
 10 calls

3. Public Opinion - No petitions or protests have been received.
4. Applicant's Statement - The applicant submitted the following statement in support of this application. Spelling, grammar, and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire:

- A. I have the capability, reliability, and qualifications to hold a liquor license because: "Applicant is committed to the responsible sale of alcoholic beverages under Arizona Liquor Laws. Managers and staff have been, or will be, trained in the techniques of alcohol sales and service to assure proper service to their customers."
- B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Applicant has operated Los Portales Restaurant with a series #12 liquor license since 2008. Applicant will continue to serve the same menu, but would like to offer extended hours, until 2am, where guests can enjoy dinner/dancing (authorized use)."

5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Producer	1	1	0
Microbrewery	3	1	0
Wholesaler	4	3	2
Bar	6	3	0
Beer & Wine Bar	7	3	3
Liquor Store	9	3	1
Beer & Wine Store	10	12	5
Restaurant	12	8	4

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	15	15.75
Property Crimes	45.04	80.6	69.37

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	149
Total Violations	105	324

Census 2000 Data 1/2 Mile				
Block Group	2000 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1101002	1853	33%	6%	43%
1101003	2242	89%	1%	17%
1101004	1697	87%	1%	16%
1102002	121	57%	25%	25%
1121001	1345	72%	5%	25%
1121002	1788	68%	7%	46%
1122011	1766	75%	5%	29%
1122012	1406	89%	0%	25%
1122025	1352	88%	0%	16%
Average		63%	6%	15%

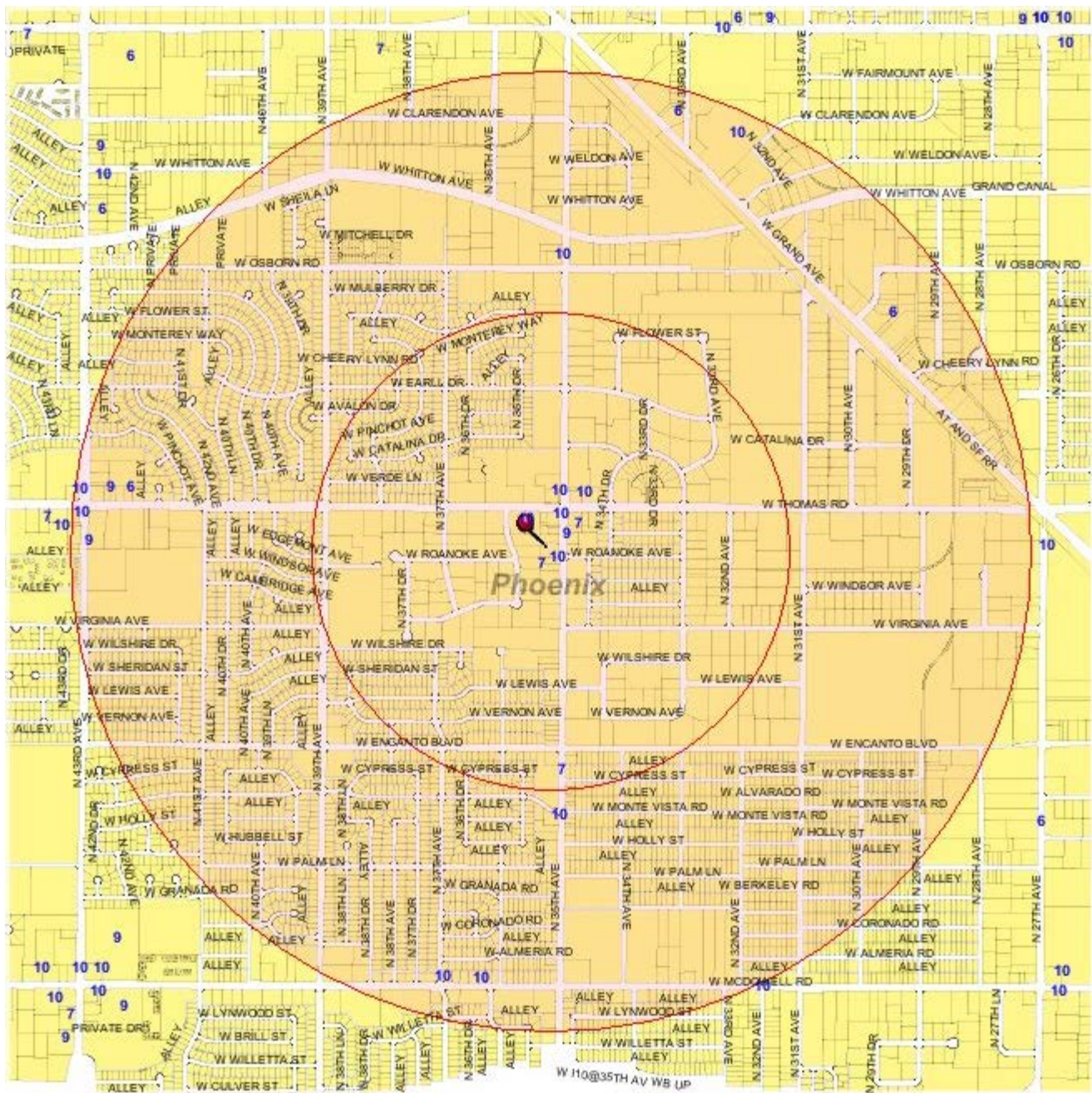
6. Staff Recommendation - Staff recommends approval of this application.

A map indicating liquor licenses within a one-mile radius accompanies this item on the following page.

This item is submitted by Ms. Takata and the City Clerk Department.

District 4

Sarkawt Shwani, Agent  
 Los Portales Restaurant  
 2814 North 35th Avenue



**ITEM 14**

**DISTRICT 6**

**LIQUOR LICENSE APPLICATION - SPECIAL  
EVENT - FESTIVAL OF LIGHTS ASSOCIATION**

The following is an application for a Special Event liquor license for temporary sale of all liquors. There are no departmental objections and no protests.

Series Definition

SE - Special Event License for temporary sale of all liquors

<u>District</u>	<u>Applicant Name and Address</u>	<u>Event Information</u>
6	Myron Lichty Festival of Lights Association 4025 East Chandler Boulevard, Suite 70 #C16  (Silent Auction)	- <u>Event Location:</u> 2201 East Clubhouse Drive - <u>Day/Date/Time:</u> Saturday, June 2, 2012 6:30 p.m. to 10:30 p.m.

Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Ms. Takata and the City Clerk Department.

**ITEM 15**                      **DISTRICT 7**                      **LIQUOR LICENSE APPLICATION - NEW YORK  
PIZZA DEPT.**

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Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned C-2. Arizona State Application 12079110.

Applicant:                      Richard Stark, Agent  
New York Pizza Dept.  
556 West McDowell Road

This request is for a new Series 12 liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. The operation plan filed with the application shows that the restaurant area seats 112 and the bar area seats 18. This business is currently under construction with plans to open in July 2012. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Sunday, June 10, 2012.

Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.
2. Police Calls for Service - This information is not provided due to the multiple ownership interests of the applicant.
3. Public Opinion - No petitions or protests have been received.
4. Applicant's Statement - The applicant submitted the following statement in support of this application. Spelling, grammar, and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire:
  - A. I have the capability, reliability, and qualifications to hold a liquor license because: "Applicant is committed to the responsible sale of alcoholic beverages AZ liquor laws. Managers and staff have been, or will be, trained in the techniques of alcohol sales and service to assure proper service to their customers."
  - B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "Applicant has been in operation since 1996, with 10 locations and counting. Applicant offers casual dining with an "east coast taste" and would like to offer its guests alcoholic beverages in addition to the popular Italian food they serve."
5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Government	5	4	1
Bar	6	8	1
Beer & Wine Bar	7	5	0
Liquor Store	9	4	0
Beer & Wine Store	10	7	2

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	12.95	5.9
Property Crimes	45.04	68.86	54.4

Hotel	11	1	0	Property Violation Data	Avg.	1/2 Mile
Restaurant	12	22	5	Parcels w/Violations	57	34
Club	14	2	0	Total Violations	105	61

Census 2000 Data 1/2 Mile				
Block Group	2000 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1118002	938	73%	8%	9%
1118003	1115	83%	5%	4%
1118004	679	59%	13%	8%
1119001	751	93%	3%	2%
1119002	960	74%	5%	10%
1129001	1065	59%	11%	12%
1129002	1703	31%	10%	32%
1130001	336	6%	9%	24%
1130002	208	29%	36%	3%
1130004	610	35%	16%	10%
Average		63%	6%	15%

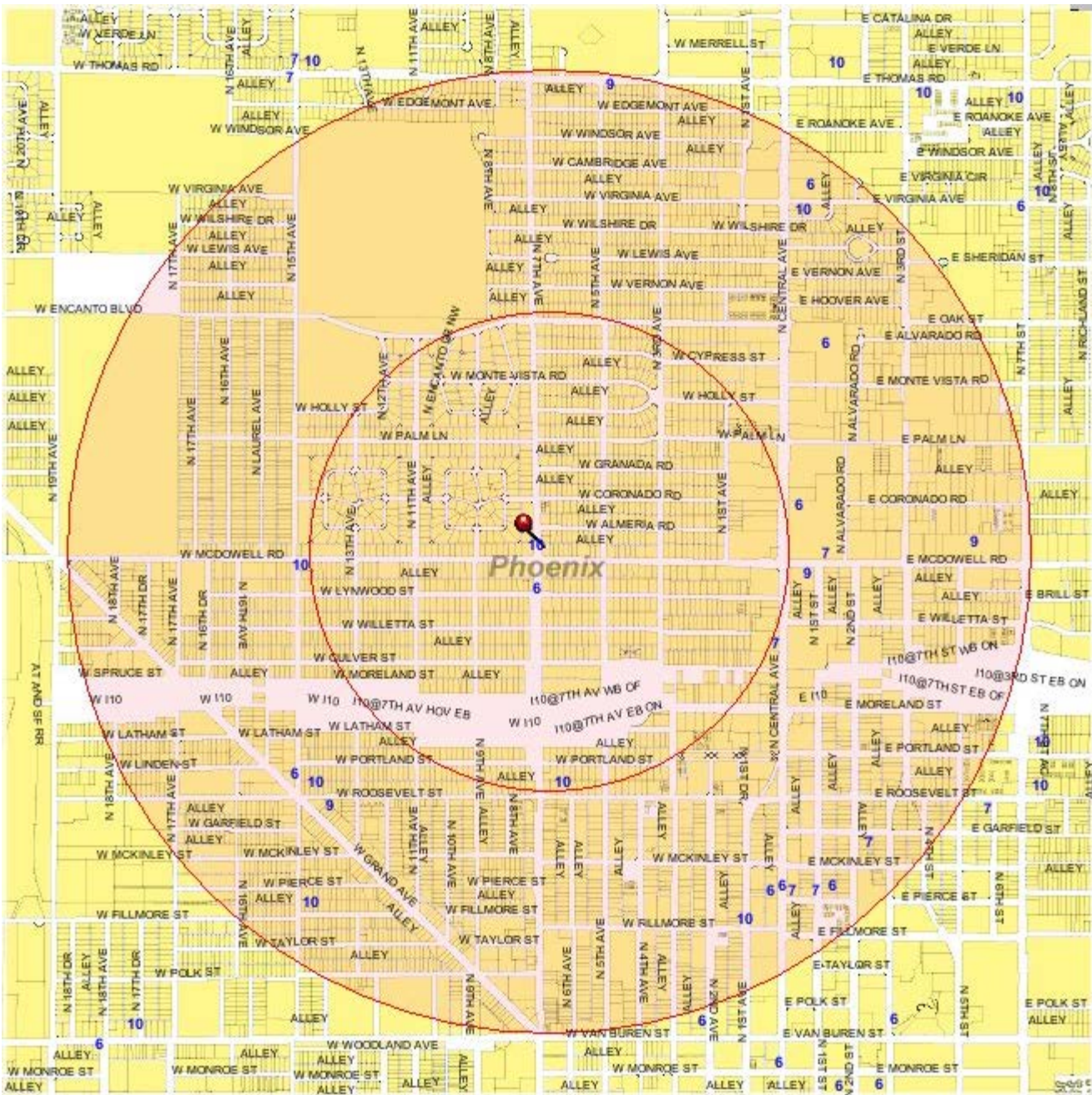
6. Staff Recommendation - Staff recommends approval of this application.

A map indicating liquor licenses within a one-mile radius accompanies this item on the following page.

This item is submitted by Ms. Takata and the City Clerk Department.

District 7

Richard Stark, Agent  
New York Pizza Dept.  
556 West McDowell Road



**ITEM 16                      DISTRICT 8                      LIQUOR LICENSE APPLICATION - BAR SMITH**

Request for a Series 6, On Sale-All Liquor, liquor license in an area zoned DTC-BCORE. Arizona State Application 06070641.

Applicant:                      H.J. Lewkowitz, Agent  
    Bar Smith  
    130 East Washington Street

This request is for an ownership transfer of a Series 6 liquor license from Washington Street Restaurant, LLC to Solstice Management Group, LLC for a bar. This location was previously licensed for liquor sales and is currently operating with an interim permit. This location is within 2,000 feet of a light rail station.

The sixty-day limit for processing this application is Thursday, June 14, 2012.

Consideration may be given only to the applicant's personal qualifications and not to the location.

1.                      Department of Liquor Licenses and Control Public Access Data - This database indicates that the

applicant does not currently hold an interest in any other liquor license in the State of Arizona.

2. Police Calls for Service - Not applicable since the applicant does not currently hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - No petitions or protests have been received.
4. Applicant's Statement - The applicant submitted the following statement in support of this application. Spelling, grammar, and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire:

I have the capability, reliability, and qualifications to hold a liquor license because: "Applicant is committed to the responsible sale of alcoholic beverages under Arizona liquor laws. Managers and staff have been, or will be, trained in the techniques of alcohol sales and service to assure proper service to their guests."

5. Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Ms. Takata and the City Clerk Department.

**ITEM 17**

**DISTRICT 8**

**LIQUOR LICENSE APPLICATION - EMPIRE LIQUOR**

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Request for a Series 9, Off Sale-All Liquor, liquor license in an area zoned C-2. Arizona State Application 09070097.

Applicant: Nawar Yosif, Agent  
Empire Liquor  
3939 East Indian School Road

This request is for an ownership transfer of a Series 9 liquor license from Thomas Chopko to Yosif Family, LLC for a liquor store. This location was previously licensed for liquor sales as Empire Discount Liquor until January 2012 and is currently operating with an interim permit. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Thursday, May 31, 2012.

Consideration may be given only to the applicant's personal qualifications and not to the location.

1. Department of Liquor Licenses and Control Public Access Data - The ownership of this business also has an interest in the following liquor licenses:

Cactus Market  
12252 North 51st Avenue  
Glendale, Arizona

NJ Food Store  
4255 West Dunlap Avenue  
Phoenix, Arizona

Cactus Market

In August 2011, a fine of \$750 was paid for failure to follow the identification procedure, and for selling, giving, furnishing an underage person with alcohol.

In September 2011, a warning letter was issued for accepting unauthorized forms of I.D. and for selling, giving, furnishing an underage person with alcohol.

2. Police Calls for Service - The Department reports the following number of aggregate calls for police service in the last 12 months at establishments located in the City of Phoenix in which the applicant has ownership interest:

NJ Food Store  
4255 West Dunlap Avenue  
4 calls



This request is for an acquisition of control of a Series 6 liquor license for a comedy club. This location is currently licensed for liquor sales and does not have an interim permit. This location is within 2,000 feet of a light rail station.

The sixty-day limit for processing this application is Monday, June 4, 2012.

Consideration may be given only to the applicant's personal qualifications and not to the location.

1. Department of Liquor Licenses and Control Public Access Data - This database indicates that the applicant does not currently hold an interest in any other liquor license in the State of Arizona.
2. Police Calls for Service - Not applicable since the applicant does not currently hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - No petitions or protests have been received.
4. Applicant's Statement - The applicant submitted the following statement in support of this application. Spelling, grammar, and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire:  
  
I have the capability, reliability, and qualifications to hold a liquor license because: "Applicant is committed to the responsible service of alcoholic beverages under Arizona liquor laws. Managers and staff have been, or will be, trained in the techniques of alcohol sales and service to assure proper service to their guests."
5. Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Ms. Takata and the City Clerk Department.

**ITEM 20**

**DISTRICT 8**

**LIQUOR LICENSE APPLICATION - ZIEGLER'S  
NEW YORK PIZZA DEPT.**

Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned A-1. Arizona State Application 12079108.

Applicant: Navayogasingam Thuraisingam, Agent  
Ziegler's New York Pizza Dept.  
3800 East Sky Harbor Boulevard, Suite F51

This request is for a new Series 12 liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit. The operation plan filed with the application shows that the restaurant area seats 10 and there is no bar area. This business is currently being remodeled with plans to open in September 2012. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Saturday, June 9, 2012.

Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - The ownership of this business also has an interest in the following liquor license:

Copper Plate an American Grill  
6033 South Sossaman Road  
Mesa, Arizona

The Public Access Database indicates that the above license has not had any administrative sanctions levied against the ownership by the Department.

2. Police Calls for Service - Not applicable since the applicant does not hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - No petitions or protests have been received.
4. Applicant's Statement - The applicant submitted the following statement in support of this application. Spelling, grammar, and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire:

- A. I have the capability, reliability, and qualifications to hold a liquor license because: "I am committed to the responsible sale of alcoholic beverage under Arizona liquor laws. Managers and staff have been, or will be, trained in the techniques of safe alcohol sales and service to assure proper service to all of our traveling guests out of Sky Harbor Airport that visit our outlet. In addition, I am a shareholder on another #12 Liquor License - Copper Plate - an American Grill located at Phoenix Mesa Gateway Airport."
- B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "We will serve pizza's to the traveling public at America's Friendliest airport - Sky Harbor Airport, and in addition we would like to offer our audience a relaxing alcohol beverage prior to their flight."

5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Bar	6	4	1
Beer & Wine Bar	7	1	0
Conveyance	8	7	1
Beer & Wine Store	10	1	0
Restaurant	12	1	1
Club	14	3	2

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	1.2	1
Property Crimes	45.04	35.15	64.66

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	0
Total Violations	105	0

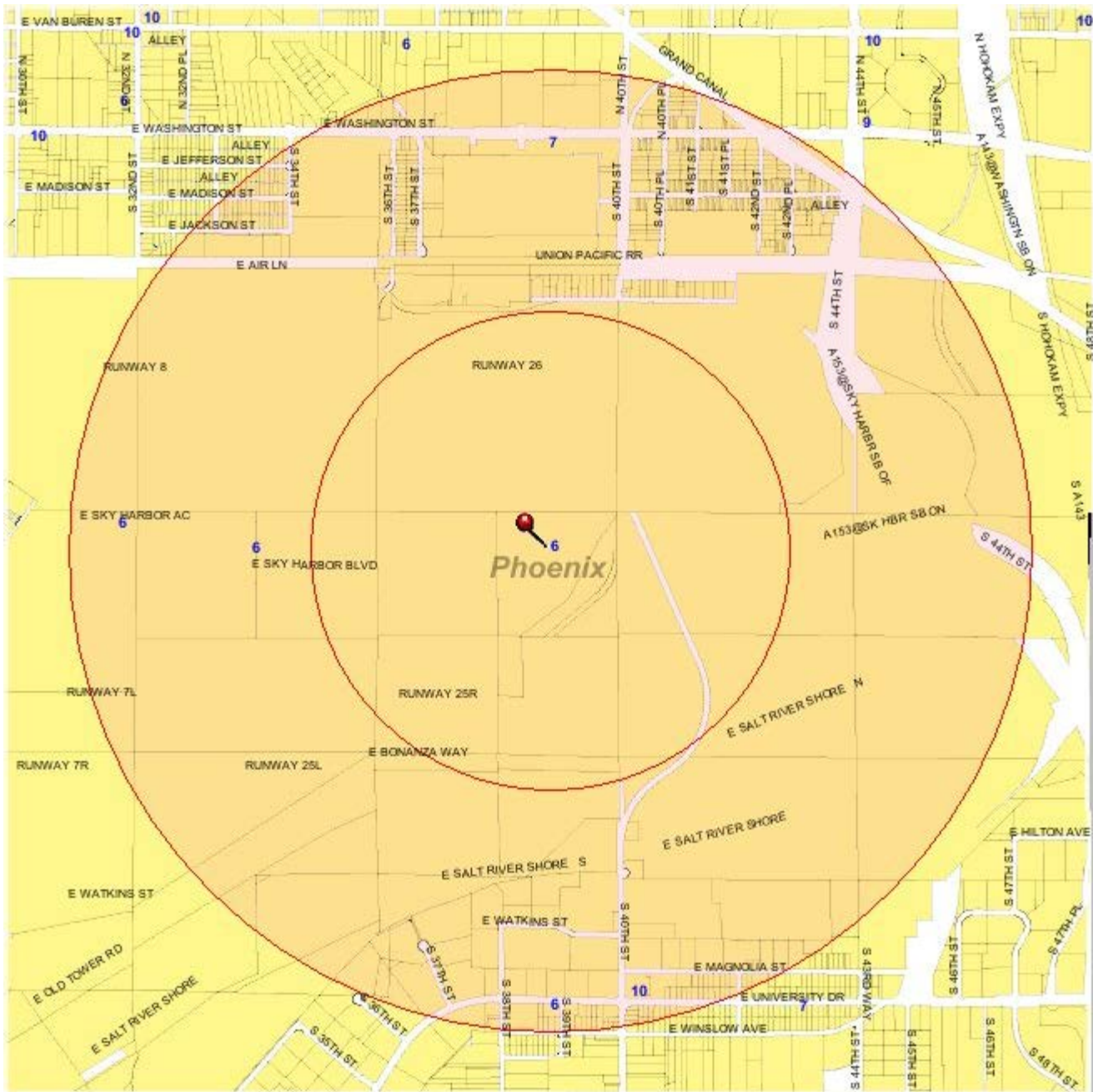
Census 2000 Data 1/2 Mile				
Block Group	2000 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1138001	842	10%	52%	28%
Average		63%	6%	15%

6. Staff Recommendation - Staff recommends approval of this application.

A map indicating liquor licenses within a one-mile radius accompanies this item on the following page.

This item is submitted by Ms. Takata and the City Clerk Department.

District 8  
 Navayogasingam Thuraisingam, Agent  
 Ziegler's New York Pizza Dept.  
 3800 East Sky Harbor Boulevard, Suite F51



**ITEM 21**

**DISTRICT 4**

**LIQUOR LICENSE APPLICATION - THE PLACE  
AFRICAN & CARRIBEAN SPOT**

Request for a Series 12, Restaurant-All Liquor on Premises, liquor license in an area zoned C-2. Arizona State Application 12079112.

Applicant: Theresa Morse, Agent  
The Place African & Carribean Spot  
5642 North 27th Avenue

This request is for a new Series 12 liquor license for a restaurant. This location was previously licensed for liquor sales as El Rey Del Marisco until March 2010 and does not have an interim permit. The operation plan filed with the application shows that the restaurant area seats 48 and the bar area seats 5. This location is not within 2,000 feet of a proposed light rail station.

The sixty-day limit for processing this application is Sunday, June 10, 2012.

Consideration may be given to the applicant's personal qualifications and to the location.

1. Department of Liquor Licenses and Control Public Access Data - This database indicates that the applicant does not hold an interest in any other liquor license in the State of Arizona.
2. Police Calls for Service - Not applicable since the applicant does not hold an interest in any other liquor license in the City of Phoenix.
3. Public Opinion - No petitions or protests have been received.
4. Applicant's Statement - The applicant submitted the following statement in support of this application. Spelling, grammar, and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire:
  - A. I have the capability, reliability, and qualifications to hold a liquor license because: "I have been attending college to obtain a degree in business management. I enjoy the restaurant business and look forward to serving the community. I will be attending alcohol awareness training as will my employees so that everyone is aware to the laws for alcoholic beverage service."
  - B. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because: "There are many people from my ethnicity who would like to enjoy the food we are accustom to eating in our country. I am excited to be able to bring this concept to Phoenix as there are no restaurants of its kind here. It is also exciting to introduce my culture to the residents of Phoenix. The request for a liquor license is to complement the service of food to our community."
5. Neighborhood Stability

Liquor License Data		1 Mile	1/2 Mile
Description	Series	#	#
Bar	6	4	2
Beer & Wine Bar	7	1	0
Liquor Store	9	4	3
Beer & Wine Store	10	11	4
Restaurant	12	5	2

Crime Data	Avg.	1 Mile	1/2 Mile
Violent Crimes	5.82	15.61	13.5
Property Crimes	45.04	105.11	78.4

Property Violation Data	Avg.	1/2 Mile
Parcels w/Violations	57	281
Total Violations	105	539

Census 2000 Data 1/2 Mile				
Block Group	2000 Population	Owner Occupied	Residential Vacancy	Persons In Poverty
1068004	596	85%	5%	7%
1068008	1100	0%	5%	11%
1068009	589	54%	21%	15%
1069002	1744	88%	0%	10%
1072011	2494	19%	5%	30%
1072012	2209	17%	7%	46%
1072021	976	96%	2%	5%
1072022	1119	85%	2%	24%
1072023	1306	64%	4%	5%
1072024	1319	80%	3%	20%
1073001	1245	92%	4%	7%
1073003	863	76%	4%	3%
1073005	1035	24%	13%	38%
1073006	805	58%	7%	13%
1073007	591	91%	14%	17%
Average		63%	6%	15%



**BINGO LICENSE APPLICATIONS**

**ITEM 22**

**DISTRICT 1**

**BINGO LICENSE APPLICATION PHOENIX  
METRO RV PARK II**

The following is an application for a Class A Type State Bingo License. There are no departmental objections. This location is not within 2,000 feet of a proposed light rail station.

Definition

- Class A Type Bingo License -  
Gross receipts shall not exceed \$15,600 per year.
- Class B Type Bingo License -  
Gross receipts shall not exceed \$300,000 per year.
- Class C Type Bingo License -  
Anticipated gross receipts may exceed \$300,000 per year.

Projected use of net proceeds: Pay part of paper expenses.

<u>District</u>	<u>Applicant/Business Name/Location</u>
1	Minerva Williams Phoenix Metro RV Park II 22701 North Black Canyon Highway

Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Ms. Takata and the City Clerk Department.

**ITEM 23**

**DISTRICT 2**

**BINGO LICENSE APPLICATION PALM LAKES  
VILLAGE BINGO CLUB II**

The following is an application for a Class A Type State Bingo License. There are no departmental objections. This location is not within 2,000 feet of a proposed light rail station.

Definition

- Class A Type Bingo License -  
Gross receipts shall not exceed \$15,600 per year.
- Class B Type Bingo License -  
Gross receipts shall not exceed \$300,000 per year.
- Class C Type Bingo License -  
Anticipated gross receipts may exceed \$300,000 per year.

Projected use of net proceeds: Clubhouse maintenance and supplies.

<u>District</u>	<u>Applicant/Business Name/Location</u>
2	Joy Gilstrap Palm Lakes Village Bingo Club II 16415 North 33rd Way

Staff Recommendation - Staff recommends approval of this application.

This item is submitted by Ms. Takata and the City Clerk Department.

**PETITIONS, COMMUNICATIONS, AND PUBLIC HEARINGS**

**ITEM 24**

**CITYWIDE**

**PUBLIC HEARING - PROPOSED WASTEWATER  
SERVICE RATES CHANGES**

Request to hold a public hearing to receive comments on the City Council's intention to amend Sections 28-39 and 28-92 of the Phoenix City Code to provide for changes in the rates for wastewater service. This hearing is held in accordance with Arizona Revised Statutes 9-511.01.

Information detailing the proposed 7.5 percent wastewater rate revenue decrease is available to the public in the City Clerk Department of the City of Phoenix located at 200 West Washington Street, 15th Floor. Additional information can be found on the City of Phoenix website: <http://phoenix.gov/citygovernment/codes/notices/index.html>.

This item is recommended by Mr. Cavazos and the Finance Department.

**ITEM 25**

**CITYWIDE**

**PUBLIC HEARING - PROPOSED WATER  
SERVICE RATES CHANGES**

Request to hold a public hearing to receive comments on the City Council's intention to amend Sections 37-63 and 37-133 of the Phoenix City Code to provide for changes in the rates for water service. This hearing is held in accordance with Arizona Revised Statutes 9-511.01.

Information detailing the proposed 4.5 percent water rate revenue increase is available to the public in the City Clerk Department of the City of Phoenix located at 200 West Washington Street, 15th Floor. Additional information can be found on the City of Phoenix website: <http://phoenix.gov/citygovernment/codes/notices/index.html>.

This item is recommended by Mr. Cavazos and the Finance Department.

**ORDINANCES AND RESOLUTIONS**

**ITEM 26**

**DISTRICT 8**

**ORDINANCE G-5704 -  
AMEND CITY CODE - IMPLEMENT 2012-2013  
AIRLINE RATES AND CHARGES PROGRAM**

Request to amend Sections 4-173B, 4-174A, 4-174B, and 4-179B of the Phoenix City Code to implement the 2012-2013 Rates and Charges Program for air carriers and air transportation-related companies at Phoenix Sky Harbor International Airport (Airport) effective July 1, 2012, and January 1, 2013.

These proposed terminal and cargo facility rental rates and the proposed landing fee will allow the Aviation Department to recover the \$116.2 million of costs associated with operating and maintaining the three passenger terminals, two cargo facilities, and the airfield at the Airport. Total billings to the airlines have increased from the prior budget by approximately 5.5 percent.

Aviation staff and the airlines serving the Airport have discussed and reviewed the proposed rental rates listed below. At the request of our airline partners, the new rates will be phased in according to the schedule below to coordinate with their calendar year budget process. The amended rates and fees would be as follows:

	<u>Current Rates</u>	<u>July 1, 2012 Rates</u>	<u>Jan. 1, 2013 Rates</u>
A. <u>Section 4-173B</u>	-	-	-
<u>Terminals:</u>			
All Terminals (per square foot)	\$106.68	\$110.88	\$117.12
West Air Cargo (per square foot)	12.48	12.24	12.84
West Air Cargo Ground Service Equipment (per square foot)	1.80	1.80	1.80
South Air Cargo (per square foot)	15.48	15.36	15.96
B. <u>Section 4-179B</u>			
<u>Landing:</u>			
Landing Fee (per 1,000 pounds)	\$1.67	\$1.76	\$1.85
	<u>Current Rates</u>	<u>July 1, 2012 Rates</u>	<u>Jan. 1, 2013 Rates</u>
C. <u>Section 4-174A</u>			
<u>Terminal 4 International Concourse</u>			
<u>Common Use Facility Fees:</u>			
<u>Scheduled Non-Stop International Air</u>			
<u>Service</u>			
<u>Fee For Each Aircraft Operation (Domiciled</u>			
<u>Airlines):</u>			
Gate Area (Including Loading Bridge and Related Joint Use Space)	\$142.00	\$155.00	\$155.00
Ticket Area	18.00	19.00	19.00
Full Service (Combination of Above Two Elements)	160.00	174.00	174.00
Gate Area - Commuter Only (1/3 of Gate Area)	47.00	51.00	51.00
<u>Fee per Passenger (Enplaned and</u>			
<u>(Deplaned)</u>			
Common Use Terminal Equipment (CUTE)	\$0.47	\$0.51	\$0.51
-			
<u>Fee per Deplaned Passenger</u>			
<u>Using Federal Inspection Services</u>			

International Passenger Walkway	\$0.44	\$0.48	\$0.48
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D. Section 4-174B

Terminal 4 International Concourse

Common Use Facility Fees:

Domestic or Non-Scheduled International Air Service

Fee per each Aircraft Operation (Domiciled Airlines):

Gate Area (Includes Loading Bridge and Related Joint Use Space)	\$285.00	\$310.00	\$310.00
Ticket Area	35.00	38.00	38.00
Full Service (Combination of Above Two Elements)	320.00	348.00	348.00
Gate Area - Commuter Only (1/3 of Gate Area)	95.00	102.00	102.00

	<u>Current Rates</u>	<u>July 1, 2012 Rates</u>	<u>Jan. 1, 2013 Rates</u>
<u>Fee per Aircraft Operation (Transient Airlines):</u>			
Gate Area (Includes Loading Bridge and Related Joint Use Space)	\$357.00	\$387.00	\$387.00
Ticket Area	43.00	47.00	47.00
Full Service (Combination of Above Two Elements)	400.00	434.00	434.00
Gate Area - Commuter Only (1/3 of Gate Area)	119.00	127.00	127.00
<u>Fee per Passenger (Enplaned and Deplaned ) (Domiciled and Transient Airlines)</u>			
Common Use Terminal Equipment (CUTE)	\$0.93	\$1.02	\$1.02
<u>Fee Per Deplaned Passenger Using Federal Inspection Services (Domiciled and Transient Airlines)</u>			
International Passenger Walkway	\$0.88	\$0.96	\$0.96
<u>Operational Fee Surcharges (Domiciled and Transient Airlines)</u>			
Exceeding Time Allotted for Occupying a Gate	\$300.00	\$300.00	\$300.00
Using a Gate Without Prior Permission	300.00	300.00	300.00
Failure to Use Allotted Time Slot for a Gate Without Due Notice	300.00	300.00	300.00

After extensive discussion and review with airline partners, the Aviation Department requests approval of the proposed July 1, 2012, and January 1, 2013 airline rental rates as described above.

Employment Impact

This Request for Council Action has no employee impact.

This item is recommended by Mr. Krietor and Aviation Department.

**PROPOSED WASTEWATER SERVICE RATES  
CHANGES**

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Request to authorize the City Manager to amend Sections 28-39 and 28-92 of the Phoenix City Code to decrease wastewater service rates by 7.5 percent effective the first bill-day of July 2012.

In accordance with Arizona Revised Statutes 9-511.01, the City Council conducted a public hearing on May 30, 2012, to receive comments on the proposed decrease in wastewater rates.

Over the past several years, actions have been taken to meet the needs of a rapidly growing city, maintain the infrastructure for the existing residents, and meet or exceed all federal standards for safe drinking water. To ensure all costs are necessary, the City Council directed the Water Services Department to conduct an innovation and efficiency study. Implementing recommendations from the study along with other actions taken by the Department, annual costs have been reduced by \$14.5 million. The cost reductions relate to consolidated chemical bids, reduced personnel cost, optimized operations, and a reduced Five-Year Wastewater Capital Improvement Program (CIP). The Finance Department reduced debt service over the next three years by refinancing revenue bonds using the wastewater system's AAA bond ratings and increased revenues from a favorable agreement with Arizona Public Service for cooling water for the Palo Verde Nuclear Generating Station.

The Finance Department, in conjunction with the Water Services Department, annually develops a Wastewater Financial Plan to determine the revenue requirements based on the operating budget, and the debt service and maintenance costs associated with the CIP. Last year's plan forecasted no rate revenue increase for March 2012. With the cost reduction actions taken above, a 7.5 percent rate decrease is proposed. The proposed changes to the wastewater rates are planned for July 2012 and are estimated to reduce revenue by \$15.5 million in the first full year.

The wastewater rates and proposed decrease vary by customer class. Customer classes include residential, commercial, public, and industrial users. The rate decrease will be applied to the sewer user, other, and the environmental charges. There is no change to the service charge. On the average, customer bills for sewer service will decrease by 7.5 percent. Depending upon the actual amount of consumption, some customers may pay more or less than this average.

When the wastewater rate revenue 7.5 percent decrease is combined with the water rate revenue 4.5 percent increase, the impact is 0 percent on the combined water and wastewater bill for the typical single-family.

Customers located outside the City of Phoenix will have charges 1.5 times greater than those referred to above.

This item is recommended by Mr. Cavazos and the Finance Department.

**ITEM 28**

**CITYWIDE**

**ORDINANCE G-5706 -  
AMEND CITY CODE -  
PROPOSED WATER SERVICE RATES CHANGES**

Request to authorize the City Manager to amend Sections 37-63 and 37-133 of the Phoenix City Code to increase water service rates by 4.5 percent effective the first bill-day of July 2012.

In accordance with Arizona Revised Statutes 9-511.01, the City Council conducted a public hearing on May 30, 2012, to receive comments on the proposed increase in water rates.

Over the past several years, actions have been taken to meet the needs of a rapidly growing city, maintain the infrastructure for the existing residents, and meet or exceed all federal standards for safe drinking water. To ensure all costs are necessary, the City Council directed the Water Services Department to conduct an innovation and efficiency study. Implementing recommendations from the study along with other actions taken by the Department, annual costs have been reduced by \$14.5 million. The cost reductions relate to consolidated chemical bids, reduced personnel cost, optimized operations, closure of the Verde Water Treatment Plant, and a reduced Five-Year Water Capital Improvement Program (CIP). The Finance Department reduced debt service over the next three years by refinancing revenue bonds using the water system's AAA bond ratings.

The Finance Department, in conjunction with the Water Services Department, annually develops a Water Financial Plan to determine the revenue requirements based on the operating budget, and the debt service and maintenance costs associated with the CIP. Last year's plan forecasted a 7.0 percent rate revenue increase for March 2012. With the cost reduction actions taken above, the increase for this year was reduced to 4.5 percent. The proposed changes to the water rates are planned for July 2012 and are estimated to produce \$15.5 million of additional revenue in the first full year.

The proposed water rate changes will be applied to the seasonal volume charges and the environmental charge. The change increases the winter season (December through March) by \$0.42 per hundred cubic feet (ccf), and the fall and spring season (April, May, October, November) by \$0.42 per ccf. The environmental charge is decreased by \$0.04 per ccf. One ccf is equal to 748 gallons. There is no change to the service charge that includes six ccf of water in the October through May period and ten ccf in the June through September period. This change translates into an average water bill increase of 4.5 percent for a typical single-family customer. Depending upon the actual amount of consumption, some customers may pay more or less than this average.

When the water rate revenue 4.5 percent increase is combined with the wastewater rate revenue 7.5 percent decrease, the impact is 0 percent on the combined water and wastewater bill for the typical single-family.

Customers located outside the City of Phoenix, except metered service connections within the Town of Paradise Valley, will have charges 1.5 times greater than those referred to above.

This item is recommended by Mr. Cavazos and the Finance Department.

**ITEM 29**                      **CITYWIDE**                      **ORDINANCE G-5707 -  
AMEND CITY CODE - CHAPTERS 32, 32A, 32B,  
AND 32C FOR CONSISTENCY WITH NEW  
PERMIT TERMS**

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Request to revise Phoenix City Code, Chapters 32 (Subdivisions), 32A (Grading and Drainage), 32B (Floodplains), and 32C (Stormwater Quality Protection).

The City has a permit from the Arizona Department of Environmental Quality (ADEQ) that authorizes the discharge of stormwater from the municipal separate storm sewer system (MS4) to waters of the United States. The permit, which was issued in February 2009, is significantly more stringent than the City's previous MS4 permit, which was issued in 1997. In order to achieve consistency with the new permit terms and meet stormwater quality objectives, changes to City Code, Chapters 32 (Subdivisions), 32A (Grading and Drainage), and 32C (Stormwater Quality Protection) were warranted. Changes to Chapter 32B (Floodplains) were required for compliance with the State Model Floodplain Ordinance of 2009.

The revisions also reflect changes in departmental names and areas of responsibility after departmental restructuring and adopt the most recent revision of the Stormwater Policies and Standards Manual, by reference. The revisions were presented to the Transportation, Infrastructure, and Sustainability Subcommittee on December 15, 2011.

The revisions were presented during a series of outreach meetings to interested parties including the Home Builders Association of Central Arizona, the Association of General Contractors, the Association of Consulting Engineers, and the Chamber of Commerce and Industry in January and February 2012. No comments were received.

The proposed revisions were also announced in the Phoenix Business Gazette on December 22, 2011, and posted on-line for public review through March 21, 2012. No hearing is required.

This item is recommended by Mr. Miller, Mr. Naimark, Mr. Krietor, and the Water Services Department.

**ITEM 30**                      **DISTRICTS 6, 7, AND 8**                      **ORDINANCE G-5708 -  
AMEND ZONING CODE -  
OFFICIAL SUPPLEMENTARY ZONING MAP 1136**

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Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1136.

**DISTRICT 6**

197-74                      PAD-5\*                      (Owner: William Jones)

To rezone a parcel located at the northwest corner of Lincoln Drive and 40th Street (extended) (approximately 0.46 acres).

DISTRICT 7

177-05            C-3\*            (Owner: Dan Deary)

To rezone a parcel located approximately 100 feet west of the southwest corner of 19th Avenue and Hadley Street (approximately 1.45 acres).

DISTRICT 8

259-63            A-1\*            (Owner: Norman Blake)

To rezone parcels located on both sides of 8th Street, between Pima Street and 172 feet south of Buckeye Road (approximately 12.6 acres).

This item is recommended by Mr. Krietor and the Planning and Development Department.

**ITEM 31**                            **CITYWIDE**                            **ORDINANCE S-38829 -**  
**PAYMENT ORDINANCE**

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Request to authorize the expenditure of public money for payment of claims against the City of Phoenix.

- \$    22,245.56            a)            To Actuate Corporation for payment of court ordered Judgment dated January 6, 2012, RE: City of Phoenix versus Actuate Corporation, Case TX2010-000518 for the Finance Department.
- 12,164.57            b)            To Advanced Metal Sales, LLC for the supply of corrugated steel panels for the Water Services Department.
- 23,502.75            c)            To Arizona Bag & Shade Company, Inc. to provide all labor and materials to install a playground shade canopy and replace two damaged shade panels at the Community Center at Paseo Highlands Park for the Parks and Recreation Department.
- 12,037.71            d)            To Border Marketing, Inc., Mesa, for the purchase of three electronic cable locator markers for the Water Services Department.
- 9,990.00            e)            To Christopher Jon Swanson/Government Finance Research Group, Mission Viejo, CA, to provide financial models to aid in creating interactive multi year financial forecasts, historic trend, and statistical analysis for the Budget and Research Department.
- 9,288.95            f)            To Diltex, Inc., Baldwin Park, CA, for the purchase of five LED digital signage monitors with wall mounting hardware for the Aviation Department.
- 18,338.74            g)            To Empire Machinery to provide a diagnostic software subscription for vehicle engine repairs through December 31, 2012, for the Public Works Department.
- 15,337.89            h)            To Enterprise Network Solutions, Mesa, to provide storage monitoring software and support through February 28, 2013, for the Fire Department.
- \$    56,000.00            i)            To Goldberg & Osborne in trust for William Tryon to fund the settlement of claim CV2010-018115, RE: Tryon versus City of Phoenix, City File 09-0756 001 for the Finance Department.
- 12,842.99            j)            To InPro Corporation, Muskego, WI, to supply expansion joint covers used in concrete walkways and structures for the Aviation Department.

17,061.73	k)	To Kelly Pipe Company to supply eight-inch taper steel pipes with couplings to the Cave Creek Water Service Yard for the Water Service Department.
15,914.96	l)	To Language Line Services, Dallas, TX, for translation services provided for 911 calls for the Police Department.
150,000.00	m)	To Larry Lynde as Attorney for Linda Grovert and Wayne Smith to fund the settlement of claim CV2010-003355, RE: Grover and Smith versus City of Phoenix, City File 08-1948-001 for the Finance Department.
42,463.96	n)	To Miner Southwest, LLC, dba Cornell-Miner of Arizona, Mesa, to provide all labor, materials, and equipment necessary to replace existing gate operators in the east garage at the Phoenix Convention Center.
13,328.04	o)	To Mohawk Automotive Lifts Southwest, Tempe, for the purchase of a hydraulic lift for vehicle maintenance and repairs to be used at the Auto Stores Division of the Public Works Department.
19,564.32	p)	To Motorola Solutions, Inc., Chicago, to supply equipment for maintaining the Computer Aided Dispatch (CAD) program for the Fire Department.
237,086.98	q)	To Oakland Athletics Baseball Company, Oakland, CA, for its share of the 2012 Spring Training third party concession fees per Agreement 67917, for the Parks and Recreation Department.
35,031.04	r)	To Oakland Athletics Baseball Company, Oakland, CA, for the reimbursement of renovations made at Phoenix Municipal Stadium from the Stadium Improvement Fund for the Parks and Recreation Department.
\$ 197,260.00	s)	To Oakland Athletics Baseball Company, Oakland, CA, to pay for the outsourcing of field maintenance provided from January 1, 2012 through March 31, 2012, at Phoenix Municipal Stadium and Papago Park Baseball Facilities under Agreement 67917, for the Parks and Recreation Department. Quarterly payments since inception of the contract in 1994.
10,034.46	t)	To PC Links, Gilbert, to provide wireless network support through March 31, 2013, for the Phoenix Convention Center Department.
10,935.69	u)	To Public Surplus, Provo, UT, for online auction services provided for the Surplus Property Section of the Finance Department.
33,612.39	v)	To SC Fuels, Orange, CA, for the purchase of unleaded gasoline delivered on April 27, 2012, for the Rental Car Center at Phoenix Sky Harbor International Airport for the Aviation Department.
25,757.97	w)	To SC Fuels, Orange, CA, for the purchase of unleaded gasoline delivered on May 4, 2012, for the Rental Car Center at Phoenix Sky Harbor International Airport for the Aviation Department.
8,700.00	x)	To Software House International, Inc., Dallas, TX, for 63 thin client desktops for the Public Works Department.
12,362.74	y)	To Strategic Telecom Solutions, Las Vegas, NV, for the purchase of four tablet computers with theft recovery service and related accessories for the Planning and Development Services Department.
41,150.77	z)	To Tranter, Inc., Chicago, IL, for the purchase of two refurbished heat exchangers for the Public Works Department.

43,200.00	aa)	To Turbomeca USA, Inc., Grand Prairie, TX, for repairs to a helicopter engine for the Air Support Unit of the Police Department.
18,105.00	ab)	To Unified Supply & Services, Inc., Flower Mound, TX, for the purchase of a replacement wheel assembly to be used on three of the baggage carousels in Terminal 2 at Phoenix Sky Harbor International Airport for the Aviation Department.
\$ 11,422.63	ac)	To Waxie Sanitary Supply, Mesa, for the purchase of an industrial vacuum for the Phoenix Convention Center Department.
14,691.83	ad)	To Western Environmental Equipment Company, Scottsdale, for the purchase of four chlorine measurement instruments and display controllers to be used at the 91st Avenue Wastewater Treatment Plant for the Water Services Department.
9,000.00	ae)	To Westmarc, Peoria, which was co-founded by the City in 1990 and promotes western Maricopa County in the areas of education, economic development, and transportation, for 2012 membership dues for the Government Relations Office.

This requests continuing payment authority, up to amounts indicated, for the following contracts and/or bids awarded:

\$ 500,000.00	af)	To Air Energy Systems and Services Agreement P 9070-11/128235 awarded by IFB 10-030, for payment authority to continue to provide HVAC filter maintenance services for the Aviation Department through March 31, 2013.
493,106.00	ag)	To Austin Commercial LP, for Change Order 1, Contract 132348, Project AV16000027, for additional construction required as part of the Roadway and Interior/Exterior Signage at Phoenix Sky Harbor International Airport Phase 1 Project for the Aviation Department.
21,114.00	ah)	To AV Electric Company, Inc., Gilbert, Agreement P 8360-09/120765 awarded by IFB 07-087, for payment authority to continue to provide re-lamping services at Phoenix Sky Harbor International Airport for the Aviation Department through July 31, 2012.
180,000.00	ai)	To Basin Tree Service & Pest Control, Inc., dba United Right of Way, Agreement P-9138-11/129143 awarded by RFP 10-010, for payment authority to continue to provide landscape maintenance services for all rights-of-way along the Phoenix section of the Light Rail for the Public Transit Department through June 30, 2013.
\$ 100,000.00	aj)	To Copper State Bolt & Nut Company Agreement P A8675-11/123340 awarded by IFB 08-074, for payment authority to continue to supply miscellaneous fasteners, bolts, nuts, screws, washers, and associated items for Citywide departments through March 31, 2013.
120,000.00	ak)	To Cybersource to continue to provide internet-based electronic credit card payment processing support services through June 30, 2013, under Contract 97062 for the Information Technology Services Department.
304,000.00	al)	To DavisLogic, Inc., dba All Hands Consulting, Columbia, MD, to provide professional consulting services for strategic plan, exercise and training, and risk assessments for Homeland Security projects through July 31, 2013, under Agreement 132935, originally approved on February 8, 2012, for the Fire Department and Office of Emergency Management, funded with homeland security grant secured for this purpose.

3,025,103.00	am)	To Downtown Phoenix Partnership, Inc. to provide management services to the Downtown Enhanced Municipal Services District through June 30, 2013, under Agreement 58147-10, originally approved on November 17, 2010, for the Community and Economic Development Department.
340,000.00	an)	To Environmental Systems Research Institute (ESRI) to continue to provide software licensing and maintenance for the Geographic Information System (GIS) in Fiscal Year 2012-2013 under Contract 126708, originally approved on June 10, 2009, for the Information Technology Services Department.
76,517.00	ao)	To Forensic Technology, Cote St. Luc, Quebec, Canada, for a two-year warranty for equipment utilized by the Drug Enforcement Bureau's Gun Enforcement and National Integrated Ballistic Information Network for the Police Department.
\$ 10,468.00	ap)	To Hickmans Family Farms, Buckeye, Agreement P 9325-12/130773 awarded by IFB 11-049, for payment authority to continue to supply fertilizers and organic alternatives for the Parks and Recreation Department through March 31, 2013.
460,469.00	aq)	To i/o Phoenix One, LLC to continue to lease space through June 30, 2013, at the Phoenix One data center facility under Contract 129031, originally approved on June 16, 2010, for the Information Technology Services Department.
320,000.00	ar)	To Johnson Controls, Tempe, Agreement P-8875-10/125756 awarded by IFB 09-125, for payment authority to continue to provide chiller maintenance and repair services for the Aviation and Public Works Departments through March 31, 2013.
380,000.00	as)	To Motorola, Inc., Chandler, S050017-A5 awarded by State of Arizona Cooperative Agreement AD050017-A5, for payment authority to continue to supply two-way portable radios on an as needed basis for Citywide departments through September 30, 2012.
135,000.00	at)	To Pitney Bowes to continue to provide software licensing and maintenance for the Water Services Department's Customer Information System (CIS) in Fiscal Year 2012-2013 under Contract 60476, originally approved on November 29, 2006, for the Information Technology Services Department.
37,469.00	au)	To Process Dynamics, Inc., Agreement P-8894-10/ 125916 awarded by IFB 09-139, for payment authority to continue to provide process instrumentation repairs, parts, and supplies for the Water Services Department through April 30, 2013.
48,000.00	av)	To Sky Harbor Interfaith Chaplaincy, Inc. to continue to provide travelers aid services at Phoenix Sky Harbor International Airport through May 31, 2013, under Agreement 133361, originally approved on April 27, 2012, for the Aviation Department.
20,000.00	aw)	To Space-Rite Industries to supply safety reflective decals for fire helmets under Agreement MW12-00060 awarded by RFQ 12-060 for the Fire Department.
\$ 660,000.00	ax)	To The City of Peoria to continue to accept and process recyclable materials collected in the City of Peoria residential recycling program at the City of Phoenix North Gateway Materials Recovery Facility through

January 31, 2015, under Agreement 132765, originally approved on October 19, 2011, for the Public Works Department.

261,226.00 ay) To the following vendors awarded by IFB 09-055, for payment authority to continue to provide lot clean-up and building board-up services for various Departments through January 31, 2013:

\$61,364.00 Artistic Land Management, Inc.,  
Chandler, P-8841-10/125358  
61,364.00 Jack Harrington, P-8831-10/  
125360  
61,364.00 Reyes and Sons Landscaping, LLC,  
P-8836-10/125365  
61,364.00 Three Amigos Property  
Management, LLC, P-883210/  
125367  
15,767.00 RK Sanders, Inc., P-8835-10/  
125364

570,195.00 az) To the following vendors awarded by IFB 11-077, for payment authority to continue to provide custodial services at various Metro Facilities for the Public Works Department through March 31, 2013:

\$285,480.00 Triangle Services, Inc.,  
P-9335-12/130791  
122,880.00 J Services, Inc., P-9332-12/  
130791  
91,818.00 GCA Services, Inc., Mesa,  
P-9334-12/130791  
70,017.00 W&W Janitorial Service, Inc.,  
Mgmt., P-9336-12/130791

\$ 2,568,973.00 ba) To the following vendors to exercise the continuing annual services contracts needed for licensing, support, and maintenance on hardware and software for critical enterprise systems and applications, originally approved on October 29, 2008, for the Information Technology Services Department:

\$2,481,613.00 Oracle  
87,360.00 IBM

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\$ 11,790,073.67

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This item is recommended by Mr. Cavazos and the Finance Department.

**ITEM 32**

**DISTRICT 8**

**ORDINANCE S-38830 -  
AMEND FACILITY LEASE WITH UNITED  
SERVICE ORGANIZATIONS AT SKY HARBOR  
AIRPORT**

---

Request to authorize the City Manager, or his designee, to amend Facility Lease Agreement 129447 with United Service Organizations (USO) at Phoenix Sky Harbor International Airport (Airport) by extending the current terms on a month-to-month basis, not to exceed one year.

This lease is for the Terminal 2 USO Center and is set to expire on August 10, 2012. There are no additional renewal periods. The USO originally anticipated relocation of its Center from Terminal 2 to Terminal 4 prior to the expiration of the Terminal 2 facility lease. The USO has now secured the necessary funding for the relocation to Terminal 4. The extension of the Terminal 2 lease will allow the USO to complete its construction and relocation of the Terminal 4 Center. All other terms and conditions of Lease Agreement 129447 will remain in effect during the extension. Staff is negotiating terms for the Terminal 4 facility lease and will return to City Council for approval of the terms and conditions of Terminal 4 facility lease.

Employment Impact

The estimated number of jobs to be retained is one. Additional staff will be volunteers.

This item is recommended by Mr. Krietor and the Aviation Department.

**ITEM 33**

**DISTRICT 8**

**ORDINANCE S-38831 -  
ACQUISITION OF ONE VACANT RESIDENTIAL  
PROPERTY FOR THE COMMUNITY NOISE  
REDUCTION PROGRAM**

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Request to authorize the City Manager, or his designee, to perform all acts necessary to acquire fee title to, and possession of, the vacant residential real property listed below (Property) for the Aviation Department's Community Noise Reduction Program.

The following property owner has voluntarily asked the City to purchase its Property located in Phoenix, Arizona, and identified by a Maricopa County Assessor parcel number (APN):

<u>Owner</u>	<u>Address</u>	<u>Appraisal</u>	<u>WBS Element</u>
The Alchemy Limited Partnership, an Arizona limited partnership	1215 East Pima Street APN: 115-40-026-A	\$9,000	AV01040387

Further request authorization for the City Controller to disburse funds necessary to purchase the Property at the City's appraised value, plus usual and customary closing costs.

Funding is available in the Aviation Department's Capital Improvement Program, from Airport Improvement Program grants and from Passenger Facility Charge revenue.

Employment Impact

There is no employment impact.

Citizen Notification

Community roundtable meetings are being held every other month to update the community and receive feedback regarding the Community Noise Reduction Program. Many property owners, who have voluntarily relocated through the Voluntary Acquisition and Relocation Services (VARS) program, have experienced successful moves, report an improvement in their quality of life, and are utilizing the benefits provided through the VARS program.

This item is recommended by Mr. Krietor and the Aviation Department.

**ITEM 34**

**DISTRICT 8**

**ORDINANCE S-38832 -  
ACQUISITION OF TWO OCCUPIED RESIDENTIAL  
PROPERTIES FOR THE COMMUNITY NOISE  
REDUCTION PROGRAM**

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Request to authorize the City Manager, or his designee, to perform all acts necessary to acquire fee title to, and possession of, the occupied residential real properties listed below (Properties) for the Aviation Department's Community Noise Reduction Program. Further request authorization for the City Manager, or his designee, to negotiate and execute short-term, temporary occupancy agreements to give the occupants of the Properties sufficient time to relocate, as such agreements may be necessary to, and in furtherance of, this ordinance.

The following property owners have voluntarily asked the City to purchase their Properties, which are located in Phoenix, Arizona, and identified by a Maricopa County Assessor parcel number (APN):

<u>Owner</u>	<u>Address</u>	<u>Appraisal</u>	<u>WBS Element</u>
Bruce S. Read and Edaena Read, husband and wife	1222 East Mohave Street APN: 115-40-058-A	\$31,000	AV01040670
Albert F. Crum, an	2434 South 19th Street	\$31,000	AV01070101

Further request authorization for the City Controller to disburse funds necessary to purchase the Properties at the City's appraised value, plus usual and customary closing costs, and to accept and disburse funds necessary for the short-term, temporary occupancy agreements.

Funding is available in the Aviation Department's Capital Improvement Program, from Airport Improvement Program grants and from Passenger Facility Charge revenue.

- Employment Impact

There is no employment impact.

- Citizen Notification

Community roundtable meetings are being held every other month to update the community and receive feedback regarding the Community Noise Reduction Program. Many property owners, who have voluntarily relocated through the Voluntary Acquisition and Relocation Services (VARS) program, have experienced successful moves, report an improvement in their quality of life, and are utilizing the benefits provided through the VARS program.

This item is recommended by Mr. Krietor and the Aviation Department.

**ITEM 35**

**CITYWIDE**

**ORDINANCE S-38833 -  
CONTRACT WITH GREATER PHOENIX  
ECONOMIC COUNCIL**

Request to authorize the City Manager, or his designee, to enter into a one-year contract and authorize the City Controller to disburse funds, in the amount of \$655,831 to the Greater Phoenix Economic Council (GPEC), to assist the City in accomplishing its economic development goals and objectives.

GPEC's primary role is to serve as the business development marketing entity for Metropolitan Phoenix, focused on attracting new quality jobs and investment by businesses represented within specific targeted industry clusters. Since GPEC's founding in 1989, the City of Phoenix, 19 other Valley municipalities, Maricopa County, and the private sector have been active financial supporters of GPEC.

Financial Impact

Staff recommends entering into a new contract for Fiscal Year 2012-2013 with formula based funding of \$565,831. In addition, staff is recommending up to \$90,000 for additional business attraction services. These services may include enhanced marketing, specialized industry research, and other economic development services specific to the City of Phoenix's economic development efforts.

This item is recommended by Mr. Krietor and the Community and Economic Development Department.

**ITEM 36**

**CITYWIDE**

**ORDINANCE S-38834 -  
IFB 12-084 - AIRCRAFT PARTS AND SERVICES -  
REQUIREMENTS CONTRACT**

Report of eight bids received by the Procurement Division on February 10, 2012, to provide the Police Department with miscellaneous aircraft parts and services on an as-needed basis during a three-year contract period beginning June 1, 2012 and ending May 31, 2015. Authorization is also requested for the City Controller to disburse funds over the life of the contract.

This contract will be used to maintain the diverse fleet of aircraft used by the Phoenix Police Air Support Unit. Following is a tabulation of the lowest responsive and responsible bids received:

<u>Bid Item</u>	<u>Able Engineering Phoenix, Arizona</u>	<u>Agusta Westland Philadelphia, Pennsylvania</u>	<u>Hi-Line Electric Dallas, Texas</u>	<u>ProAir Aviation Phoenix, Arizona</u>
Agusta Airframe Parts	1%	0%		
Eurocopter Airframe	1%			

Parts		
Agusta Avionics		0%
Eurocopter Avionics		
Cessna Airframe		21%
Parts		
Shop Supplies		
Technical Publications		
General Parts and Supplies	1%	0%
Tools/Parts Rental		
FDC/Aerofilter Parts		
APC/Airworthy Parts		
Onboard Parts		
Metamap Parts		

Bid Item	American Eurocopter Grand Prairie, Texas	MetaMap, Inc. Lexington, Kentucky
Agusta Airframe Parts		
Eurocopter Airframe Parts	10%	
Agusta Avionics		
Eurocopter Avianics	0%	
Cessna Airframe Parts		
Shop Supplies	10%	

Bid Item	American Eurocopter Grand Prairie, Texas	MetaMap, Inc. Lexington, Kentucky
Technical Publications	Fixed Price List	
General Parts and Supplies	10%	
Tools/Parts Rental	0%	
FDC/Aerofilter Parts	10%	
APC/Airworthy Parts	10%	
Onboard Parts	10%	
Metamap Parts		0%

The Deputy Finance Director and the Police Air Support Lieutenant recommend all bidders listed be accepted as offering the highest discounts from list prices, and as responsive and responsible bidders. Multiple awards are recommended to ensure parts and services can be obtained as necessary to prevent the grounding of aircraft but orders will be placed with the supplier offering available parts at the greatest discount. Nine bid items that received no bids will not be awarded. Two bidders requested alternate terms in conflict with City terms and conditions, and were thus considered non-responsive.

Financial Impact

The estimated annual cost, based on historical trends, will be approximately \$1,000,000, plus applicable tax. Actual usage of this contract may be higher or lower depending on need and budgeted funds. Funds are available in the Police Department's budget.

Employment Impact

It is estimated this contract will create or maintain 11 private sector jobs.

Option to Extend

Provisions of the agreement include an option to extend the contract up to two additional years, in increments of up to one year, which will be exercised by staff if considered in the City's best interest to do so.

This item is also recommended by Mr. Zuercher.

**ITEM 37**

**CITYWIDE**

**ORDINANCE S-38835 -  
IFB 12-147 - FIRE PROTECTIVE BRUSH  
JACKETS AND PANTS REQUIREMENTS  
CONTRACT**

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Report of four bids received by the Procurement Division on April 6, 2012, to purchase fire protective brush jackets and pants for the Fire Department on an as-needed basis for a one-year period beginning on or about June 1, 2012 and ending May 31, 2013. Authorization is also requested for the City Controller to disburse funds over the life of the contract. Following is a tabulation of the lowest responsive and responsible bids received:

<u>Bidder</u>	<u>Total Bid Prices</u>
Municipal Emergency Services Tempe, Arizona	\$225,270*
Barrier Wear Broomfield, Colorado	\$243,750
Unifire Power Blowers Spokane, Washington	\$301,710
United Fire Equipment Company Tempe, Arizona	\$315,900

It is recommended by the Deputy Finance Director and the Fire Chief that Municipal Emergency Services, as asterisked, be accepted as the lowest responsive and responsible bidder.

Financial Impact

The estimated cost for the initial one-year contract period, excluding tax, is approximately \$225,000 based on historical trends. Actual usage of this contract may be higher or lower depending on need and budgeted funds. Funds are available in the Fire Department's budget.

Employment Impact

It is estimated that this contract will create or maintain three private sector jobs.

Option to Extend

Provisions of the agreement include an option to extend the contract up to four additional years, in one-year increments, which will be exercised by staff if considered in the City's best interest to do so.

This item is also recommended by Mr. Krietor.

**ITEM 38**

**CITYWIDE**

**ORDINANCE S-38836 -  
IFB 12-148 - UNIFORM PANTS AND SHORTS  
(FIRE DEPARTMENT) - REQUIREMENTS  
CONTRACT**

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Report of seven bids received by the Procurement Division on April 6, 2012, to purchase uniform pants and shorts for the Fire Department on an as-needed basis for a one-year period beginning on or about June 1, 2012 and ending May 31, 2013. Authorization is also requested for the City Controller to disburse funds over the life of the contract. Following is a tabulation of the lowest responsive and responsible bids received:

<u>Group Brand Name</u>	<u>Municipal Emergency Services, Inc.</u>	<u>United Fire Equipment Company</u>	<u>International Corporate Apparel, Inc.</u>
Group I - 5-11 Tactical	\$22,623.60*	No Bid	\$30,820.00

Group II - Blauer	No Bid	\$ 830.00*	No Bid
Group III - Dickies	No Bid	No Bid	\$20,398.00*
Group IV - Lakeland	No Bid	No Bid	No Bid
Group V - Lion	\$16,355.35*	\$17,155.75	No Bid
Group VI - Red Cap	No Bid	No Bid	\$ 1,805.00
Group VII - Workrite	\$34,316.80	No Bid	\$36,305.50

<u>Group Brand Name</u>	<u>Uniforms Manufacturing, Inc.</u>	<u>L.N. Curtis and Sons</u>
Group I - 5-11 Tactical	No Bid	\$26,975.00
Group II - Blauer	No Bid	No Bid
Group III - Dickies	\$21,220.00	No Bid
Group IV - Lakeland	\$16,919.50*	No Bid

<u>Group Brand Name</u>	<u>Uniforms Manufacturing, Inc.</u>	<u>L.N. Curtis and Sons</u>
Group V - Lion	No Bid	No Bid
Group VI - Red Cap	\$ 1,727.50*	No Bid
Group VII - Workrite	\$42,076.00	\$30,864.00*

It is recommended by the Deputy Finance Director and the Fire Chief that Municipal Emergency Services, Inc., Tempe, Arizona; United Fire Equipment Company, Tempe, Arizona; International Corporate Apparel, Inc., Tucson, Arizona; Uniforms Manufacturing, Inc., Scottsdale, Arizona; and L.N. Curtis and Sons, Phoenix, Arizona, as asterisked, be accepted as the lowest priced responsive and responsible bidder(s).

Financial Impact

The estimated cost for the initial one-year contract period, excluding tax, is approximately \$110,000 based on historical trends. Actual usage of this contract may be higher or lower depending on need and budgeted funds. Funds are available in the Fire Department's budget.

Employment Impact

It is estimated that this contract will create or maintain one private sector job.

Option to Extend

Provisions of the agreement include an option to extend the contract up to four additional years, in one-year increments, which will be exercised by staff if considered in the City's best interest to do so.

This item is also recommended by Mr. Krietor.

**ITEM 39**

**CITYWIDE**

**ORDINANCE S-38837 -  
IFB 12-152 - PARKING LOT SWEEPER -  
REQUIREMENTS CONTRACT**

Works Department - Fleet Services Division with parking lot and self propelled sweepers on an as-needed basis for a one-year model period, beginning on or about June 1, 2012. Following is a tabulation of the lowest bids received:

Bidder	Group I - Parking Lot Sweepers	Total Bid Prices
Balar Equipment*	Unit Price	\$79,700
Phoenix, Arizona	Discount 2 - 5 Units	2%
	Discount 6 plus Units	5%
	Manufacturers Sponsored Fleet	\$ 89
	Parts Discount	0%
	On-Site Labor Rate	\$ 99
	On-Site Labor Rate (After Hours)	\$ 115
	On-Site Labor Rate (Emergency)	\$ 115
	Shop Labor Rate	\$ 99
	Shop Labor Rate (After Hours)	\$ 115
	Shop Labor Rate (Emergency)	\$ 115
	Current Model Year Ends	December 2012

Bidder	Group II - Self Propelled Sweepers	Total Bid Prices
Empire Southwest, LLC*	Unit Price	\$50,325
Mesa, Arizona	Discount 2 - 5 Units	1%
	Discount 6 plus Units	2%
	Current Model Year Ends	October 2012

It is recommended by the Deputy Finance Director and the Acting Public Works Director that the bid of Balar Equipment for Group I and Empire Southwest, LLC for Group II, as asterisked, be accepted as the lowest responsible bidders. Authorization is also requested for the City Controller to disburse funds over the life of the contract(s).

Financial Impact

The estimated annual cost, excluding tax, is approximately \$390,727 or five vehicles based on department projections. Actual usage of this contract may be higher or lower depending on need and budgeted funds. Funds are available in the Aviation and Public Works Departments' budgets.

Employment Impact

The estimated number of private sector jobs created or maintained by this contract is approximately one.

Option to Extend

Provisions of the agreement include an option to extend the contract up to four additional model years, in one-year increments, which will be exercised by staff if considered in the City's best interest to do so.

This item is also recommended by Mr. Krietor, Mr. Naimark, and the Aviation Department.

**ITEM 40                      CITYWIDE                      ORDINANCE S-38838 -  
IFB 12-154 - MID-SIZE LOADING 20 YARD  
REFUSE TRUCKS - REQUIREMENTS CONTRACT**

Report of three bids received by the Procurement Division on March 23, 2012, to provide the Public Works Department with mid-size loading 20 yard refuse trucks on an as-needed basis for a one-year model period, beginning on or about June 15, 2012. Following is a tabulation of the lowest bid received:

Bidder		Total Bid Prices
Freightliner Sterling, Western Star of Arizona*	Unit Price	\$231,278.00
Tolleson, Arizona	Discount 2 - 5 Units	-\$1,000.00
	Discount 6 plus Units	-\$1,000.00
	Manufacturers Sponsored Fleet	\$89.31

It is recommended by the Deputy Finance Director and the Acting Public Works Director that the bid of Freightliner Sterling, Western Star of Arizona, as asterisked, be accepted as the lowest responsible bidder. RWC International and Truck West of Phoenix did not meet specifications in the air conditioning, windows, and cab insulation requirements. Authorization is also

requested for the City Controller to disburse funds over the life of the contract.

Financial Impact

The estimated annual cost, excluding tax, is approximately \$462,556 or two units based on department projections. Actual usage of this contract may be higher or lower depending on need and budgeted funds. Funds are available in the Public Works Department's budget.

Employment Impact

The estimated number of private sector jobs created or maintained by this contract is approximately five.

Option to Extend

Provisions of the agreement include an option to extend the contract up to one additional model year, which will be exercised by staff if considered in the City's best interest to do so.

This item is also recommended by Mr. Naimark.

**ITEM 41**

**CITYWIDE**

**ORDINANCE S-38839 -  
IFB 12-158 - REPLACE ROOF OF EXECUTIVE  
HANGARS 10-17 AT SKY HARBOR AIRPORT**

Report of eight bids received by the Procurement Division on April 13, 2012, for the replacement of the roofs on Executive Hangars 10-17 at Phoenix Sky Harbor, Aviation Department. Following is a tabulation of the lowest bids received:

<u>Bidder</u>	<u>Total Bid Prices</u>	<u>Unit Price for Hidden Damage</u>
Roofing Southwest by Sprayfoam Southwest, Inc. Tempe, Arizona	\$163,073.00*	\$170 per Unit*
Progressive Roofing Phoenix, Arizona	\$170,225.02	\$ 75 per Unit
D.C. Taylor Company Phoenix, Arizona	\$179,568.00	\$ 85 per Unit

It is recommended by the Deputy Finance Director and the Aviation Director that the bid of Roofing Southwest by Sprayfoam Southwest, Inc., as asterisked, be accepted as the lowest responsible bidder. Authorization is also requested for the City Controller to disburse funds for the project.

Financial Impact

The estimated cost, excluding tax, is approximately \$163,073, plus applicable tax, based on the offer provided. Funds are available in the Aviation Department's Capital budget using Aviation Airport Improvement funds.

Employment Impact

It is estimated this contract will create two private sector jobs.

This item is also recommended by Mr. Krietor.

**ITEM 42**

**CITYWIDE**

**ORDINANCE S-38840 -  
IFB 12-159 - REPLACE ROOF OF EXECUTIVE  
HANGARS 1-8 AT SKY HARBOR AIRPORT**

Report of eight bids received by the Procurement Division on April 6, 2012, for the replacement of the roofs on Executive Hangars 1-8 at Phoenix Sky Harbor International Airport, Aviation Department. Following is a tabulation of the lowest bids received:

<u>Bidder</u>	<u>Total Bid Prices</u>	<u>Unit Price for Hidden Damage</u>
Centimark	\$141,966*	\$ 40.50 per Unit*

Phoenix, Arizona

Roofing Southwest by Sprayfoam Southwest, Inc. Tempe, Arizona	\$156,962	\$170.00 per Unit
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Brazos Urethane, Inc. Phoenix, Arizona	\$170,000	\$360.00 per Unit
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It is recommended by the Deputy Finance Director and the Aviation Director that the bid of Centimark, as asterisked, be accepted as the lowest responsible bidder. Authorization is also requested for the City Controller to disburse funds for the project.

Financial Impact

The estimated cost, excluding tax, is approximately \$141,966, plus applicable tax, based on the offer provided. Funds are available in the Aviation Department's Capital budget from Aviation Airport Improvement funds.

Employment Impact

It is estimated this contract will create two private sector jobs.

This item is also recommended by Mr. Krietor.

**ITEM 43**

**CITYWIDE**

**ORDINANCE S-38841 -  
IFB 12-165 - LARGE WATER METER TESTING  
AND REPAIR REQUIREMENTS CONTRACT**

Report of three bids received by the Procurement Division on April 6, 2012, to provide the Water Services Department with large water meter testing and repair services on an as-needed basis during a three-year contract period beginning July 1, 2012 and ending June 30, 2015. Authorization is also requested for the City Controller to disburse funds over the life of the contract.

This contract will be used to provide on-site testing and calibration services for large water meters and repair/replacement services for those meters found to be inaccurate. Following is a tabulation of the lowest responsive and responsible bids received:

<u>Bidder</u>	<u>Total Bid Price</u>	<u>Labor Rate - Additional Services</u>
Metering Services, Inc. Tempe, Arizona	\$ 79,020*	\$40*
Vanguard Utility Service, Inc. Owensboro, Kentucky	\$238,480	\$75
M.E. Simpson Company, Inc. Valparaiso, Indiana	\$252,100	\$95

It is recommended by the Deputy Finance Director and the Deputy Water Services Customer Service Director that Metering Services, Inc., as asterisked, be accepted as the lowest priced responsive and responsible bidder.

Financial Impact

The estimated annual cost, based on historical trends, will be approximately \$180,000, plus applicable tax. Actual usage of this contract may be higher or lower depending on need and budgeted funds. Funds are available in the Water Services Department's Operating budget.

Employment Impact

It is estimated that this contract will create or maintain two private sector jobs annually.

Option to Extend

Provisions of the agreement include an option to extend the contract up to two additional years, in increments of up to one year, which will be exercised by staff if considered in the City's best interest to do so.

This item is also recommended by Mr. Miller.

**ITEM 44**

**CITYWIDE**

**ORDINANCE S-38842 -  
IFB 12-175 - MANHOLE INSECTICIDE  
APPLICATION - REQUIREMENTS CONTRACT**

Report of five bids received by the Procurement Division on April 27, 2012, to provide the Water Services Department with manhole insecticide application services on an as-needed basis during the two-year contract period beginning July 1, 2012 and ending June 30, 2014. Authorization is also requested for the City Controller to disburse funds over the life of the contract.

This contract will provide for the treatment of sanitary sewer structures with a paint pesticide for roach control throughout the City's coverage area. Following is a tabulation of the lowest responsive and responsible bids received:

<u>Bidder</u>	<u>Unit Bid Price</u>
Proficient Pest Specialists, LLC Youngtown, Arizona	\$7.24*
General Exterminating, Inc. Youngtown, Arizona	\$7.44
Peoria Pest Control, Inc. Glendale, Arizona	\$7.95

It is recommended by the Deputy Finance Director and the Deputy Water Services Director for Wastewater Collection that the bid of Proficient Pest Specialists, LLC, as asterisked, be accepted as the lowest priced responsive and responsible bidder.

Financial Impact

The estimated annual cost, based on historical trends, will be approximately \$344,423. Actual usage of this contract may be higher or lower depending on need and budgeted funds. Funds are available in the Water Services Department's Operating budget.

Employment Impact

It is estimated that this contract will create or maintain up to four private sector jobs.

Option to Extend

Provisions of the agreement include an option to extend the contract up to two additional years, in increments of up to two years, which will be exercised by staff if considered in the City's best interest to do so.

This item is also recommended by Mr. Miller.

**ITEM 45**

**CITYWIDE**

**ORDINANCE S-38843 -  
IFB 12-179 - ROOF SERVICES AT CITY OF  
PHOENIX PERSONNEL BUILDING**

Report of nine bids received by the Procurement Division on April 20, 2012, to provide the Public Works Department with roof services for the City of Phoenix Personnel building. The contractor is to furnish and install membrane roofing systems to the building roof areas. Following is a tabulation of the lowest responsive and responsible bids received:

<u>Bidder</u>	<u>Total Bid Prices</u>
Jim Brown and Sons Roofing Glendale, Arizona	\$50,425.50*
Centimark Phoenix, Arizona	\$68,206.00
Progressive Roofing, Inc. Phoenix, Arizona	\$70,990.00

It is recommended by the Deputy Finance Director and the Public Works Director that the bid of Jim Brown and Sons Roofing, as

asterisked, be accepted as the lowest responsive and responsible bidder. Authorization is also requested for the City Controller to disburse funds over the life of the contract.

Financial Impact

The estimated cost for the award, excluding tax, is \$50,425.50. Funds are available in the Public Works Department's budget.

Employment Impact

It is estimated that this contract will create or maintain up to one private sector job.

This item is also recommended by Mr. Naimark.

**ITEM 46**                      **CITYWIDE**                      **ORDINANCE S-38844 -  
IFB 12-181 - PREFORMED THERMOPLASTIC  
PAVEMENT MARKING MATERIALS -  
REQUIREMENTS CONTRACT**

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Report of two bids received by the Procurement Division on April 13, 2012, to provide the Street Transportation Department with Preformed Thermoplastic pavement marking materials, on an as-needed basis, during a three-year contract period beginning on or about, July 1, 2012 and ending June 30, 2015. Preformed Thermoplastic pavement marking materials are necessary for City of Phoenix street operations. Following is a tabulation of the lowest responsive and responsible bids received:

<u>Bidder</u>	<u>Total Bid Price</u>	<u>Discount for Legends and Symbols</u>
Flint Trading, Inc. Thomasville, North Carolina	\$87,091.98*	40%*
Centerline Supply West Phoenix, Arizona	\$93,193.10	30%

It is recommended by the Deputy Finance Director and the Street Transportation Director that the bid of Flint Trading, Inc., as asterisked, be accepted as the lowest responsive and responsible bidder. Authorization is also requested for the City Controller to disburse funds over the life of the contract.

Financial Impact

The estimated expenditures for the initial three-year contract will be approximately \$264,000, excluding tax, based on historical trends. Actual usage of this contract may be higher or lower depending on need and budgeted funds. Funds are available in Street Transportation Department's budget.

Employment Impact

It is estimated that this contract will create or maintain up to one private sector job annually.

Option to Extend

Provisions of the agreement include an option to extend the contract up to two additional years, in one-year increments, which will be exercised by staff if considered in the City's best interest to do so.

This item is also recommended by Mr. Naimark.

**ITEM 47**                      **CITYWIDE**                      **ORDINANCE S-38845 -  
IFB 12-184 - WATER TRUCKS - REQUIREMENTS  
CONTRACT**

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Report of five bids received by the Procurement Division on April 13, 2012, to provide the Public Works Department with 3,000-gallon water trucks and 4,000 gallon water roll-off tanks on an as-needed basis for a one-year model period, beginning on or about June 15, 2012. Following is a tabulation of the lowest bids received:

Group I - 3,000-Gallon Water Truck with a Conventional Chassis and GVW of 58,000 lbs

<u>Bidder</u>	<u>Unit Price</u>	<u>Total Bid Prices</u>
Freightliner Sterling, Western Star of Arizona*	Discount 2 - 5 Units	\$118,700.00
Tolleson, Arizona	Discount 6 plus Units	0%
		0%

Manufacturers Sponsored Fleet	\$ 89.31
Option B Stainless Steel Tank	\$ 13,000.00
Option C Galvanized Tank	\$ 5,500.00
Option D Upgrade Engine	\$ 524.00

Group I - 3,000-Gallon Water Truck with a Conventional Chassis and GVW of 58,000 lbs

Bidder		Total Bid Prices
RWC International LTD	Unit Price	\$128,035.00
Phoenix, Arizona	Discount 2 - 5 Units	0%
	Discount 6 plus Units	0%
	Manufacturers Sponsored Fleet	No Bid
	Option B Stainless Steel Tank	\$ 15,500.00
	Option C Galvanized Tank	No Bid
	Option D Upgrade Engine	Included

Group II - 4,000-Gallon Pre-plumbed, Self Contained, Hydraulically Driven, Roll off Water Tank

Bidder		Total Bid Prices
Freightliner Sterling, Western Star of Arizona*	Unit Price	\$32,928.00
Tolleson, Arizona	Discount 2 - 5 Units	0%
	Discount 6 plus Units	0%
	Manufacturers Sponsored Fleet	\$ 89.31
	Option A Remote Controlled Unit	\$ 7,160.00
	Option B Stainless Steel Tank	\$14,200.00
	Option C Galvanized Tank	\$ 5,700.00
	Option D Upgrade Engine	No Bid
RWC International LTD	Unit Price	\$31,500.00
Phoenix, Arizona	Discount 2 - 5 Units	0%
	Discount 6 plus Units	0%
	Manufacturers Sponsored Fleet	No Bid
	Option A Remote Controlled Unit	\$ 7,750.00
	Option B Stainless Steel Tank	\$15,500.00
	Option C Galvanized Tank	No Bid
	Option D Upgrade Engine	Included

It is recommended by the Deputy Finance Director and the Public Works Director that the bid of Freightliner Sterling, Western Star of Arizona, as asterisked, be accepted as the lowest responsible bidder with options. Authorization is also requested for the City Controller to disburse funds over the life of the contract. The second vendor in Group II did not offer Option C, galvanized tank.

Financial Impact

The estimated annual cost, excluding tax, is approximately \$505,248 or five units, based on Department projections. Actual usage of this contract may be higher or lower depending on need and budgeted funds. Funds are available in the Public Works and Street Transportation Departments' budgets.

Employment Impact

The estimated number of private sector jobs created or maintained by this contract is up to six.

Option to Extend

Provisions of the agreement include an option to extend the contract up to one model additional years, in one-year increments, which will be exercised if considered in the City's best interest to do so.

This item is also recommended by Mr. Naimark.

Report of seven bids received by the Procurement Division on April 27, 2012, to provide the Planning and Development Department with microfiche conversion services on an as-needed basis during a three-year contract period, beginning on or about July 1, 2012 and ending June 30, 2015. Microfiche conversion services are necessary to preserve images contained in the fiche. Following is a tabulation of the lowest responsive and responsible bids received:

Bidder	Total Bid Prices
Layton Document Systems, Inc. Marietta, Georgia	\$75,068*
OSAM Document Solutions, Inc. Phoenix, Arizona	\$76,420
Integrated Scanning of America, Inc. Newbury Park, California	\$80,000

It is recommended by the Deputy Finance Director that the bid of Layton Document Systems, Inc., as asterisked, be accepted as the lowest responsive and responsible bidder. Authorization is also requested for the City Controller to disburse funds over the life of the contract.

Financial Impact

Based on historical usage and projected need, the estimated annual costs are \$36,666.33. Actual usage of this contract may be higher or lower depending on need and budgeted funds. Funds are available in the Planning and Development Department's budget.

Employment Impact

It is estimated this contract will create or maintain one private sector job.

Option to Extend

Provisions of the agreement include an option to extend the contract up to two additional years, in one-year increments, which will be exercised by staff if considered in the City's best interest to do so.

This item is also recommended by Mr. Krietor.

**ITEM 49**

**CITYWIDE**

**ORDINANCE S-38847 -**

**RFA 09-001G - EQUIPMENT PURCHASES**

Request to authorize the City Manager, or his designee, to purchase the equipment listed below for the Aviation Department from Crafc0, Inc. and Equipment Depot LTD using an existing cooperative intergovernmental agreement with the HGAC Buy contract. The contracted prices offered in this agreement are the result from a competitive bid process. The intergovernmental agreement was established as a result of RFA 09-001 and was originally approved by Council on July 2, 2008.

Two Pavement Melters and Accessories	\$ 85,934.65
One Platform Lift and Accessories	\$109,919.80

A pavement melter heats the material that seals cracks in concrete and asphalt.

Further request authorization for the City Controller to disburse the necessary funds.

Financial Impact

The estimated amount, excluding tax, is approximately \$195,854.45. Funds are available in the Aviation Department's budget.

Employment Impact

The estimated number of private sector jobs created or maintained by this contract is approximately two.

This request is made by the Deputy Finance Director and the Deputy Public Works Director.

This item is also recommended by Mr. Krietor, Mr. Naimark, and the Aviation Department.

**ITEM 50****CITYWIDE****ORDINANCE S-38848 -  
RFA 12-027 - TACTICAL BALLISTIC VESTS -  
REQUIREMENTS CONTRACT**

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Request to authorize the City Manager to enter into an agreement with FX Tactical, LLC, Nogales, Arizona, to provide the Police Department with tactical ballistic vests on an as-needed basis during a one-year contract period beginning on or about June 1, 2012 and ending May 31, 2013. Authorization is also requested for the City Controller to disburse funds over the life of the contract.

The Police Department tested and evaluated tactical ballistic vests and found the Point Blank Desert Fury II Tactical Ballistic Vest to meet their standards. FX Tactical, LLC is the sole distributor of the Point Blank Desert Fury II Tactical Ballistic Vests.

**Financial Impact**

The estimated cost for the initial one-year contract period, excluding tax, is approximately \$166,105 based on historical trends. Actual usage of this contract may be higher or lower depending on need and budgeted funds. Funds are available in the Police Department's Justice Assistance Grant 2011, Special Assignments Unit/K-9 Vest Project grant budget.

**Employment Impact**

It is estimated that this contract will create or maintain one private sector job.

**Option to Extend**

Provisions of the agreement include an option to extend the contract up to four additional years, in one-year increments, which will be exercised by staff if considered in the City's best interest to do so.

This request is made by the Deputy Finance Director and the Acting Police Chief.

This item is also recommended by Mr. Zuercher.

**ITEM 51****CITYWIDE****ORDINANCE S-38849 -  
RFA 12-034 - HOLMATRO EQUIPMENT, PARTS,  
AND SERVICES - REQUIREMENTS CONTRACT**

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Request to authorize the City Manager, or his designee, to enter into an agreement with Extrication Concepts, Glendale, Arizona, to provide the Fire Department with Holmatro rescue equipment, parts, and services on an as needed basis during a one-year contract period beginning June 1, 2012 and ending May 31, 2013. Authorization is also requested for the City Controller to disburse funds over the life of the contract(s).

The Fire Department has standardized on Holmatro rescue equipment and all fire fighters are trained on this equipment. Extrication Concepts is the only authorized distributor of this equipment in Arizona. This contract will be used to purchase new rescue equipment, repair parts, and labor for repairs on an as needed basis.

**Financial Impact**

The total annual cost, excluding tax, is \$90,000 based on the bid submitted. Funds are available in the Fire Department's budget.

**Employment Impact**

The estimated number of private sector jobs created or maintained by this contract is approximately one.

**Option to Extend**

Provisions of the agreement include an option to extend the contract up to four additional years, in one-year increments, which will be exercised by staff if considered in the City's best interest to do so.

This request is made by the Deputy Finance Director and the Assistant to the Fire Chief.

This item is also recommended by Mr. Krietor.

**ITEM 52****CITYWIDE****ORDINANCE S-38850 -  
RFA 12-036 - AUDIO LOGGING RECORDER  
SYSTEM**

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Request to authorize the City Manager, or his designee, to enter into an agreement with Goserco, Inc., Mesa, Arizona, for the purchase of an audio logging recorder system for the Fire Department. Authorization is also requested for the City Controller to disburse funds for the project.

The Fire Department requirements for a logging system include the ability to interface with and save data provided by the 9-1-1 telephone system, the ability to utilize voice recognition technology to search hours of recordings for specific words and terms, and the ability to interface directly with the current Motorola radio system and computer aided dispatch software system. The Verint system is the only logging system that includes all these features.

Goserco, Inc. is the only Arizona vendor of the Verint system and also provide the required 24/7 support in a timely manner.

Financial Impact

The cost, excluding tax, is \$172,630 based on the bid submitted. Funds are available in the Fire Department's budget.

Employment Impact

The estimated number of private sector jobs created or maintained by this contract is approximately two.

This request is made by the Deputy Finance Director and the Deputy Chief - Technical Services.

This item is also recommended by Mr. Krietor.

**ITEM 53**

**CITYWIDE**

**ORDINANCE S-38851 -  
RFA 12-045 - FARO FOCUS 3D LASER  
SCANNER**

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Request to authorize the City Manager, or his designee, to enter into an agreement with Allen Instruments & Supplies for the purchase of one FARO Focus 3D Laser Scanner and accessories to be used by the Phoenix Police Department Homicide and Vehicular Crimes Detail. Authorization is also requested for the City Controller to disburse funds for the purchase.

The Police Department requests this equipment to document crime scene investigations involving homicides, police-involved shootings, traffic fatalities, and other high-profile criminal investigations in the City of Phoenix. Court award funds will be used for this purchase.

Allen Instruments & Supplies is the only authorized dealer of FARO laser scanning products in the state of Arizona.

Financial Impact

The cost, including tax, is \$59,152 based on the bid submitted. Funds are available in the Police Department's Court Awards budget.

Employment Impact

It is estimated that this purchase will create one private sector job.

This request is made by the Deputy Finance Director and the Acting Police Chief.

This item is also recommended by Mr. Zuercher.

**ITEM 54**

**CITYWIDE**

**ORDINANCE S-38852 -  
RFP 05-030E - CUSTODIAL SERVICES (RENTAL  
CAR CENTER, BUS MAINTENANCE FACILITY,  
SMALL OPERATOR PARCEL) - REQUIREMENTS  
CONTRACT**

---

Request to authorize the City Manager, or his designee, to extend the term of Contract 117387, as amended (Contract). The Contract was awarded to GCA Services Group, Inc., a Delaware corporation, by formal Council action on October 22, 2005, to provide custodial services at the Phoenix Sky Harbor Rental Car Center and bus maintenance facility. Authorization is also requested for the City Controller to disburse funds over the life of the contract.

The term of the Contract shall be extended for up to six additional months from June 1, 2012 through November 30, 2012, to allow sufficient time for the new procurement process to be completed. The extension of the Contract will assure services are not

interrupted.

Financial Impact

The estimated cost for the six-month extension is approximately \$275,934 based on historical trends. Actual usage of the Contract may be higher or lower depending on need and budgeted funds. Funds are available in the Aviation Department's Operating budget.

Employment Impact

The estimated number of private sector jobs created or maintained by the Contract is approximately three.

This item is recommended by Mr. Krietor and the Aviation and Finance Departments.

**ITEM 55**

**CITYWIDE**

**ORDINANCE S-38853 -  
RFP 06-003A - GENERAL POLICE TOWING  
SERVICES - REQUIREMENTS CONTRACT**

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Request to authorize the City Manager, or his designee, to enter into an amendment to City of Phoenix Contract 119890 with URS Southwest, Inc., dba Shamrock Towing, to provide the Police Department with all needed towing services on an as-needed basis during the contract period that began December 1, 2006 and will end May 31, 2012, extending the contract through January 31, 2013, to include a 90-day notice provision for early termination.

The extension is needed to allow the City sufficient time to revise the Request for Proposal (RFP) requirements and prepare to issue a new solicitation. At its May 22, 2012 meeting, the Public Safety, Veterans, Transparency, and Ethics Subcommittee approved the extension of the contract. Based on discussion, the Subcommittee authorized an extension to a date between December 15, 2012 and January 31, 2013, based on staff review. Staff recommended January 31, 2013, as the cancellation date in order to provide time for the RFP process to be completed and to transition the existing contract outside of the busy holiday season for the Police Department. Should it appear the contract can be ended sooner, staff will exercise the 90-day notice provision. The City Controller is authorized to disburse funds in an amount not to exceed \$46,000 for the amended contract.

Financial Impact

The estimated cost of the eight-month extension is approximately \$46,000 based on historical trends. Actual usage of this contract may be higher or lower depending on need and budgeted funds. Funds are available in the Police Department's budget.

Employment Impact

Approximately one private sector job will be created or maintained by this contract.

This item is recommended by Mr. Zuercher and the Finance Department.

**ITEM 56**

**CITYWIDE**

**ORDINANCE S-38854 -  
RFP 07-011B - CUSTODIAL SERVICES AVIATION  
- REQUIREMENTS CONTRACT**

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Request to authorize the City Manager, or his designee, to extend the term of Contract 120949, as amended (Contract). The Contract was awarded to GCA Services Group, Inc., a Delaware corporation, by formal Council action on April 11, 2007, to provide custodial services at Phoenix Sky Harbor International Airport. Authorization is also requested for the City Controller to disburse funds over the life of the contract.

The term of the Contract shall be extended for up to six additional months from June 1, 2012 through November 30, 2012, to allow sufficient time for the new procurement process to be completed. The extension of the Contract will assure services are not interrupted.

Financial Impact

The estimated cost for the six-month extension is approximately \$4,113,318 based on historical trends. Actual usage of this contract may be higher or lower depending on need and budgeted funds. Funds are available in the Aviation Department's budget.

Employment Impact

The estimated number of private sector jobs created or maintained by this Contract is approximately 45.

This item is recommended by Mr. Krietor and the Aviation and Finance Departments.

**ITEM 57**

**CITYWIDE**

**ORDINANCE S-38855 -  
RFP 07-022B - CUSTODIAL SERVICES AT  
PHOENIX CONVENTION CENTER FACILITIES -  
REQUIREMENTS CONTRACT**

---

Request to authorize the City Manager, or his designee, to authorize additional expenditures under Contract 121065, as amended (Contract), and further authorize the City Controller to disburse funds. The Contract was awarded to GCA Services Group, Inc., a Delaware corporation, by formal Council action on May 2, 2007, to provide custodial services at the Phoenix Convention Center facilities.

The term of Contract 121065 shall be extended for six months from July 31, 2012 through December 31, 2012, to align the expiration date of the Contract with the expiration date of Contract 120451 - carpet/upholstery cleaning. It would be in the best interest of the department to merge these two contracts with similar specifications in the scope of work. The extension of the contract will assure that custodial services are not interrupted while a procurement process to combine the two contracts and award a new contract is completed.

Financial Impact

The estimated cost for the six-month extension is approximately \$360,000 based on historical trends. Actual usage of the Contract may be higher or lower depending on need and budgeted funds. Funds are available in the Phoenix Convention Center Department's budget.

Employment Impact

The estimated number of private sector jobs created or maintained by the Contract is approximately four.

This item is recommended by Ms. Morris and the Finance Department.

**ITEM 58**

**CITYWIDE**

**ORDINANCE S-38856 -  
STATE OF ARIZONA CONTRACT ADHS 12-  
020682 INDUSTRIAL AND MEDICAL GASES -  
REQUIREMENTS CONTRACT**

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Request to authorize the City Manager to enter into an agreement with Matheson Tri-Gas, Phoenix, Arizona, under the State of Arizona Contract ADHS 12-020682 for the purchase of industrial and medical gases on an as-needed basis.

Under the Intergovernmental Agreement with the State of Arizona, the City of Phoenix may use their agreements when it is beneficial to the City to do so. The contract period began on April 1, 2012 and ends March 31, 2015.

Financial Impact

Based on historical usage and projected need, the estimated annual cost is \$70,000. Actual usage of this contract may be higher or lower depending on need and budgeted funds. Funds are available in the various Departments' budgets. Authorization is also requested for the City Controller to disburse funds over the life of the contract.

Employment Impact

The estimated number of private sector jobs created or maintained by this contract is approximately one.

Option to Extend

Provisions of the agreement include an option to extend the contract up to three additional years, in one-year increments, which will be exercised by staff if considered in the City's best interest to do so.

The request is made by the Deputy Finance Director.

This item is also recommended by Mr. Cavazos.

**ITEM 59**

**DISTRICT 2**

**ORDINANCE S-38857 -  
ACQUISITION OF PROPERTY FROM ASLD FOR**

**ROADWAY WITH UNDERGROUND UTILITIES  
LOCATED ALONG THE 56TH STREET  
ALIGNMENT**

---

Request to authorize the City Manager, or his designee, to acquire a perpetual public roadway easement with underground utilities in a portion of vacant property from the Arizona State Land Department (ASLD). The property is located along the 56th Street alignment, south of Pinnacle Peak Road and north of State Route 101. Further request authorization to execute all documents necessary to accomplish the acquisition. The City seeks to acquire, at auction, the property rights necessary for the construction of water main improvements along 56th Street connecting to the City of Phoenix reservoir site along Pinnacle Peak Road, and for future roadway improvements. This acquisition will be subject to additional conditions to be agreed upon by ASLD and the City, consistent with the proposed use of the property.

Further authorizing the City Controller to disburse funds for the purchase price in an amount not to exceed the ASLD appraised value, reviewed and approved by the City of Phoenix, plus usual and customary closing costs and any accrued interest at the statutory rate (if applicable).

Funding is available in the Water Services Department's Capital Improvement Program using Impact Fee funds.

In addition, request the City Council grant an exception pursuant to Phoenix City Code §42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise would be prohibited by Phoenix City Code §42-18, which is a necessary condition to the City's acquisition affecting the property owned/controlled by the Arizona State Land Department.

This bears the recommendation of the Acting Water Services Director and the Deputy Finance Director.

This item is also recommended by Mr. Miller.

**ITEM 60                                      DISTRICTS 2 AND 5                                      ORDINANCE S-38858 -  
ACCEPTANCE AND DEDICATION OF  
EASEMENTS FOR PUBLIC USE**

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Request to accept easements for drainage, water meter, water, sidewalk, roadway, and public utility purposes; ordering the ordinance recorded; and dedicating to public use the properties described therein.

			District
Easement	(a)	SAN NORTERRA APARTMENTS, LLC Easement is for public utility purposes for property located at 28515 North North Valley Parkway. FN 110051	2
Easement	(b)	SAN NORTERRA APARTMENTS, LLC Easement is for sidewalk purposes for property located at 28515 North North Valley Parkway. FN 110051	2
Easement	(c)	THE GOVERNING BOARD OF THE MARICOPA COMMUNITY COLLEGE DISTRICT Easement is for water meter purposes for property located at 18401 North 32nd Street. FN 120014	2
Easement	(d)	SAN NORTERRA APARTMENTS, LLC Easement is for drainage purposes for property located at 28515 North North Valley Parkway. FN 110052	2
Easement	(e)	SAN NORTERRA APARTMENTS, LLC Easement is for drainage purposes for property located at 28515 North North Valley Parkway. FN 110052	2
Easement	(f)	PENDERGAST SCHOOL DISTRICT 92, MARICOPA COUNTY, ARIZONA Easement is for sidewalk purposes for property located at 4940 North 103rd Avenue. FN 120006	5
Easement	(g)	PENDERGAST SCHOOL DISTRICT 92, MARICOPA COUNTY, ARIZONA Easement is for roadway purposes for property located at 4940 North 103rd Avenue. FN 120006	5
Easement	(h)	GRAND CANYON EDUCATION, INC. Easement is for water purposes for property located at 3300 West Camelback Road. FN	5

This bears the recommendation of the Finance Director.

This item is also recommended by Mr. Cavazos.

**ITEM 61****DISTRICT 5**

**ORDINANCE S-38859 -  
GRANT OF A PUBLIC UTILITY EASEMENT FOR  
CITY PROJECT - 10645 WEST CAMELBACK  
ROAD**

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Request to grant a public utility easement, for consideration of one dollar and/or other valuable consideration, for the installation of a new service to a City facility on City property in the Salt River Project service area, and further ordering the ordinance recorded. This easement is needed to provide utilities and other services to the Dust Devil Park project located at 10645 West Camelback Road.

This public utility easement will be for the area described in the legal description to be sent directly to the Law Department (Easement Premises) and will be granted to all public service corporations, agricultural improvement districts, and telecommunication corporations providing utility service to the property located at 10645 West Camelback Road (collectively "Grantee") for an indefinite period, subject to the following terms and conditions:

- A. Grantee is hereby granted the right to construct, reconstruct, replace, repair, operate, and maintain utility facilities together with appurtenant fixtures for use in connection therewith for the transmission and distribution of utility and communication facilities (collectively "Grantee Facilities") to, through, across, and beyond Grantor's property within the Easement Premises. Subject to the notice requirements provided in Paragraph "I", Grantee shall at all times have the right of full and free ingress and egress to and along the Easement Premises for the purposes herein specified. Grantee acknowledges and accepts that Grantee shall share the Easement Premises with other Grantees and shall use such Easement Premises with other Grantees in accordance with and consistent with industry standards and customs for such shared use. Grantor agrees to coordinate the location of Grantee's Facilities within the Easement Premises and to pay costs for relocation of Grantee's Facilities as provided in Paragraph "F".
- B. Grantor shall not locate, erect, or construct, or permit to be located or erected or constructed, any building or other structure or drill any well within the limits of the Easement Premises. However, Grantor reserves all other rights, interests, and uses of the Easement Premises that are not inconsistent with Grantee's easement rights herein conveyed and which do not interfere with or endanger any of the Grantee Facilities. Notwithstanding the foregoing, Grantor shall not have the right to lower by more than one foot or raise by more than two feet the surface grade of Easement Premises without the prior written consent by the Grantee whose facilities will be affected by the change of elevation.
- C. Grantee shall not have the right to use the Easement Premises to store gasoline or petroleum products, hazardous or toxic substances, or flammable materials; provided, however, that this prohibition shall not apply to any material, equipment, or substance contained in, or a part of, the Grantee Facilities, provided that Grantee must comply with all applicable federal, state, and local laws and regulations in connection therewith. Additionally, the Easement Premises may not be used for the storage of construction-related materials or to park or store construction-related vehicles or equipment except on a temporary basis to construct, reconstruct, replace, repair, operate, or maintain the Grantee Facilities.
- D. Grantor shall maintain a three-foot clear area around all edges of all equipment pads for Grantee Facilities, in addition to a clear operational area that extends ten feet immediately in front of all transformer or switching cabinet openings, within the Easement Premises. No obstructions, trees, shrubs, fixtures, or permanent structures shall be placed or permitted by Grantor within said areas. Grantee is hereby granted the right to trim, prune, cut, and clear away trees, brush, shrubs, or other

obstructions within said areas.

- E. Grantee shall exercise reasonable care to avoid damage to the Easement Premises and all improvements thereon and agrees that following any work or use by Grantee within the Easement Premises, the affected area, including without limitation all pavement, landscaping, concrete, and other improvements permitted within the Easement Premises pursuant to this easement will be restored by Grantee to as close to original condition as is reasonably possible, at the expense of Grantee.
- F. Grantor reserves the right to require the relocation of Grantee Facilities to a new location within Grantor's property; provided, however, that: (1) Grantor pays the entire cost of redesigning and relocating existing Grantee Facilities to the new location; and (2) Grantor provides Grantee with a new and substantially similar public utility easement at no cost to Grantee. After relocation of Grantee Facilities to the new easement area, Grantee shall abandon its rights to use the Easement Premises granted in this easement without cost or consequence to Grantor.
- G. Each public service corporation and telecommunication services corporation as a Grantee shall coordinate and work with other Grantees in the use of the Easement Premises. In the event that a third party or other Grantee requests the relocation of existing Grantee Facilities to a new location (whether or not) within the Easement Premises, the requesting party shall pay the entire cost of redesigning and relocating the existing Grantee Facilities.
- H. Grantee shall not have the right to transfer, convey, or assign its interests in this easement to any individual, corporation, or other entity without the prior written consent of Grantor, which consent shall not be unreasonably withheld. Grantee shall notify Grantor of any proposed transfer, conveyance, or assignment of any rights granted herein at the address listed below.
- I. Except in emergencies or exigent circumstances such as service restoration, Grantee agrees to contact Grantor at least one business day prior to Grantee's entrance onto the Easement Premises where such Easement Premises are located: (1) on a site that includes Aviation Department facilities, water and wastewater treatment facilities, the Police Department headquarters located at 620 West Washington Street, the Fire Department headquarters located at 150 South 12th Street, City Hall located at 200 West Washington Street, City Court Building located at 300 West Washington Street, Calvin C. Goode Building located at 251 West Washington Street, Transit Operations Center located at 302 North 1st Avenue, or West Transit Facility located at 405 North 79th Avenue; or (2) in a secured or fenced area.

This bears the recommendation of the Street Transportation Director and the Deputy Finance Director with the concurrence of the Acting Parks and Recreation Director.

This item is also recommended by Mr. Miller.

**ITEM 62**

**DISTRICT 7**

**ORDINANCE S-38860 -  
GRANT OF IRRIGATION EASEMENT TO SALT  
RIVER PROJECT - 75TH AVENUE AND LOWER  
BUCKEYE ROAD**

---

Request to authorize the City Manager, or his designee, to grant an irrigation easement to Salt River Project (SRP) for consideration of one dollar and/or other valuable consideration. The easement area contains approximately 667 square feet and is located within City of Phoenix right-of-way, along the northeast corner of 75th Avenue and Lower Buckeye Road.

SRP requires the easement to relocate an existing open irrigation distribution ditch to an underground distribution pipeline in order to accommodate a Street Transportation Department road improvement project at this location.

**Employment Impact**

This action will not directly create or retain any jobs.

This bears the recommendation of the Street Transportation Director and the Deputy Finance Director.

This item is also recommended by Mr. Naimark.

**ITEM 63**

**DISTRICT 7**

**ORDINANCE S-38861 -  
CONTRACT WITH FOWLER SCHOOL DISTRICT  
FOR EHS SOCIALIZATION SITE**

---

Request to authorize the City Manager to enter into a contract with Fowler School District for an amount up to \$6,000 for the period of July 1, 2012 to June 30, 2013, with the option to renew for four additional one-year periods. Early Head Start (EHS) will lease classroom space to be utilized for socialization groups.

Authorization is also requested for the City Controller to disburse all funds associated with this contract.

Classroom space utilized for socialization must meet Arizona Department of Health Care Child Care licensing requirements. The Fowler School District provides a classroom with the needed amenities to hold these socialization events.

Program Impact

EHS serves low-income pregnant women and families with children ages birth to three years residing in the Southwest area, including the Fowler School District area. The EHS program requires that socialization events are offered to families two times per month. Socialization opportunities are offered to families to provide a developmentally appropriate environment to strengthen parent-child relationships and peer interactions.

Employment Impact

This contract is expected to create or retain less than one job.

Financial Impact

No General funds are required. United States Department of Health and Human Services funding is available in the Early Head Start grant budget.

This item is recommended by Mr. Naimark and the Human Services Department.

**ITEM 64**

**CITYWIDE**

**ORDINANCE S-38862 -  
RENEW CONTRACTS WITH VARIOUS TRADE  
PROVIDERS**

---

Request to authorize the City Manager to extend the term of the following contracts for the provision of emergency and non-emergency construction services and appliance repair and replacement services for both the Neighborhood Services and Human Services Departments, and renew funding up to \$1,000,000 for the period of July 1, 2012 to June 30, 2013. This is the first and only renewal period.

Authorization is also requested for the City Controller to accept and disburse the necessary funds to pay all claims against the City associated with these contracts.

The vendors were selected in accordance with the Request for Proposals process established in Administrative Regulation 3.10.

<u>Various Trade Services/Providers</u>	<u>Contract</u>
<u>Group A - Electrical Service:</u>	
Performance Electric	129016
Delta BAP, Inc.	129029
Dretek Communications & Electrical, Inc.	129033
<u>Group B - Plumbing Service:</u>	
Adobe Energy Management Co.	129014
Delta BAP, Inc.	129029
Andy's Plumbing, Inc.	129013
<u>Group C - HVAC/Mechanical Service:</u>	
Adobe Energy Management Co.	129014
Delta BAP, Inc.	129029
Weather Masters, LLC	129012
<u>Group D - Roofing Service:</u>	

Adobe Energy Management	129014
Delta BAP, Inc.	129029
Capstone Roofing, LLC	129015
<u>Group E - General Repairs:</u>	
Adobe Energy Management	129014
Delta BAP, Inc.	129029
Aboval Wood Concepts, LLC	129034
<u>Group F - Appliance Delivery/Install:</u>	
Adobe Energy Management	129014
Delta BAP, Inc.	129029

The Human Services Department will utilize Arizona Community Action Association Utility Repair, Replacement and Deposit (URRD) funding of \$438,000, combined with \$8,000 in General funds for these services. Other funding sources for these services will come from Community Development Block Grant, Better Buildings, Weatherization, and other United States Department of Housing and Urban Development funding.

Program Impact

Human Services and Neighborhood Services Departments funding will allow the provision of emergency and non-emergency home repairs to approximately 500 eligible low-income homeowners within the City of Phoenix during Fiscal Year 2012-2013.

Financial Impact

There are no matching fund requirements.

Employment Impact

The award of these contracts is estimated to create or retain 11 jobs.

This item is recommended by Mr. Naimark, Mr. Miller, and the Human Services Department.

**ITEM 65                      CITYWIDE                      ORDINANCE S-38863 -  
AMEND GENERAL FUND CONTRACTS FOR  
HOMELESS SERVICES**

Request to authorize the City Manager, or his designee, to extend the term of two General Fund (GF) homeless services contracts, listed below, for the period July 1, 2012 to June 30, 2013, and renew funding for an additional year for three contracts totaling an amount of \$1,044,038, as listed below.

Authorization is also requested for the City Controller to disburse the necessary funds and pay all claims against the City associated with these contracts up to the stated amounts:

<u>Agency</u>	<u>Service(s)</u>	<u>Contract Number</u>	<u>Contract Renewal Period</u>	<u>Additional Funding Amount</u>
Central Arizona Shelter Services	Emergency shelter, case management, job development	121450	7/1/2012 to 6/30/2013 (Fourth of four renewal periods)	\$ 691,038
State Department of Health Services	Local Alcohol Reception Center (LARC) and extended care operations	81105	N/A (Agreement period July 1, 1997 through June 30, 2017)	\$ 200,000
Chrysalis Shelter, Inc.	Emergency shelter, domestic violence	123767	7/1/2012 to 6/30/2013 (Third of four	\$ 153,000

renewal periods) \_\_\_\_\_  
\$1,044,038

Program Impact

The City of Phoenix Human Services Department provides a diverse array of support services to assist people in moving towards and maintaining self-sufficiency. Emergency shelter, emergency financial assistance, case management, legal assistance, and detoxification and recovery services are part of the comprehensive continuum of services the department provides. These services assist families and individuals who are struggling to avert or recover from a crisis situation such as domestic violence, substance abuse, and/or mental health crisis and move towards or maintain self-sufficiency

Employment Impact

The grant award is estimated to retain 11 jobs.

Financial Impact

General funds to support these contracts are available in the 2012-2013 base budget request for the Human Services Department.

This item is recommended by Mr. Naimark and the Human Services Department.

**ITEM 66**

**CITYWIDE**

**ORDINANCE S-38864 -  
AMEND DES CONTRACT FOR ADDITIONAL  
HOMELESS SHELTER FUNDING AND EXTEND  
CONTRACT TERM**

Request to authorize the City Manager to amend Intergovernmental Agreement 120400 to accept Department of Economic Security (DES) funding in the amount of \$170,075.65 and to extend the contract term through June 30, 2013. This will bring the total DES Intergovernmental Agreement for Fiscal Years 2007-2013 to \$1,167,310.40. Further authorize the City Controller to accept and disburse the funds.

The contract consists of several funding sources which include: Emergency Solutions Grant, Homeless Shelter, Temporary Assistance for Needy Families (TANF), TANF Homeless Program, and Lottery funding.

Program Impact

DES funding will assist the Human Services Department in providing emergency shelter to homeless women and families who are living on the streets.

Employment Impact

The grant award is estimated to retain up to two jobs.

This item is recommended by Mr. Naimark and the Human Services Department.

**ITEM 67**

**CITYWIDE**

**ORDINANCE S-38865 -  
CONTRACT WITH UMOM FOR OPERATION OF  
WATKINS EMERGENCY SHELTER PROGRAM**

Request to authorize the City Manager to extend the term of Contract 123662 with United Outreach Ministries (UMOM) New Day Center to operate the Watkins Emergency Shelter Program at the City's Watkins facility for the period of July 1, 2012 through June 30, 2013, and renew funding for a total amount of \$893,293. This is the fourth of four, one-year renewal periods.

Authorization is also requested for the City Controller to disburse funds and to pay all claims against the City related to the contract.

UMOM was selected in accordance with the Request for Proposal process established in Administrative Regulation 3.10.

Program Impact

In 2010-2011, 2,531 homeless people were served at the shelter facility, including 406 families with children. Without the Watkins Emergency Shelter Program, this homeless population would be on the streets where their physical and emotional health, as well as their safety, would be at risk. Funding for the contract consists of the following:



The popularity of eMedia grew much faster than anticipated, and the initial funding authorized for this agreement has been spent to meet the demand. This Request for Council Action authorizes the City Controller to disburse additional funds up to \$900,000 for these services through October 31, 2014.

Funds are available in the Library Department's Operating budget.

Employment Impact

The expenditure is estimated to create or retain up to nine jobs.

This item is recommended by Mr. Naimark and the Library Department.

**ITEM 70**

**CITYWIDE**

**ORDINANCE S-38868 -  
APPLY FOR JUDICIAL COLLECTION  
ENHANCEMENT FUND GRANT TO CONTINUE  
AUTOMATED MESSAGING SERVICE**

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Request authorization to apply for up to \$75,000 per year in grant funds from the local Judicial Collection Enhancement Fund for the continuation of the automated messaging service program with RSI Enterprises, Inc. The Court would also like to expand the program to include a pilot program to provide automated messages to citizens with scheduled court dates as recommended by the recent National Center for State Courts review. The Court further requests authorization for the City Controller to accept and disburse these funds once awarded.

- The Municipal Court completed pilot programs in 2009 to determine the effectiveness of using automated messaging service vendors to contact defendants with delinquent fines, fees, and restitution. The vendors for the pilot program were selected through a competitive procurement process. The program proved successful and the Court received authorization from the City Council in July 2010 to continue the program with one vendor, RSI Enterprises, Inc., the vendor with the lowest cost per call for four, one-year terms not to exceed \$75,000 per term. The Court has exercised two of the four authorized one-year contract renewal terms.

The National Center for State Courts recommended the Court explore the value of reminders to appear or other cost-effective options to notify defendants and other case participants of scheduled court events. The Court plans to initiate a 90-day pilot program to determine the effectiveness of an automated message reminder call to defendants several days prior to the scheduled court date. If the pilot program is successful, the program will continue.

- Financial Impact

Funds for continuing the program are available in the Municipal Court's Judicial Collection Enhancement Fund; there is no General Fund impact.

- Employment Impact

No jobs are expected to be created or retained.

- This item is recommended by Ms. Takata and the Chief Presiding Judge.

**ITEM 71**

**CITYWIDE**

**ORDINANCE S-38869 -  
EXTEND AGREEMENT WITH XEROX STATE &  
LOCAL SOLUTIONS, INC. FOR DATA ENTRY  
SERVICES FOR MUNICIPAL COURT**

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Request to authorize extension of work order Agreement 116499 with Xerox State & Local Solutions, Inc. for an amount not to exceed \$166,995, to provide data entry services for the Phoenix Municipal Court under the FARE (Fines, Fees, and Restitution Enforcement) program. Further authorization is being requested for the City Controller to disburse funds to Xerox State & Local Solutions, Inc. in payment for those services. Xerox State & Local Solutions, Inc. was known as ACS State and Local Solutions, Inc. until it was acquired by Xerox. The company's legal status is unchanged for purposes of this agreement.

The Arizona Judicial Department's Administrative Office of the Courts (AOC) administers the FARE program to enhance payment and collection capabilities for all participating courts via a consolidated WEB and IVR accessible data repository of charges filed with those courts. The AOC has a contract with Xerox State & Local Solutions, Inc. to provide services necessary for the operation of the FARE program. The AOC Contract, 03-0000144, as amended July 1, 2008, provides for data entry services

key to the rapid entry of charge information into the FARE repository. The FARE program then creates and sends courtesy notices to defendants advising them of the specific amount they can pay in lieu of appearing in court for post and forfeit eligible charges of Defensive Driving Program options, and if required, of the date by which they must appear in the court for arraignment. Because the Phoenix Municipal Court is an Arizona Judicial Department court, the City of Phoenix is entitled to enter into and extend work order Agreement 116499 for data entry services under the AOC contract.

Financial Impact

Funds are available in the City's General Fund - Phoenix Municipal Court's Fiscal Year 2012-2013 Operating budget.

Employment Impact

No jobs are expected to be created or retained.

This item is recommended by Ms. Takata and the Chief Presiding Judge.

**ITEM 72**

**DISTRICT 4**

**ORDINANCE S-38870 -  
APPLY FOR 2012 COMMUNITY-BASED  
VIOLENCE PREVENTION DEMONSTRATION  
GRANT FUNDS**

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Request to authorize the City Manager, or his designee, to apply for and enter into an agreement with the Office of Juvenile Justice and Delinquency Prevention for Fiscal Year 2012 Community-Based Violence Prevention Demonstration Program grant funding in an amount not to exceed \$1.5 million for a three-year award period. Further authorizing the City Manager to enter into contracts necessary to implement the program and authorizing the City Controller to accept and disburse funds.

The 2012 Community-Based Violence Prevention Demonstration Program furthers the United States Department of Justice's mission by reducing violence involving youth in targeted communities. This grant replicates programs, such as the Chicago CeaseFire model, with the goal of changing community norms regarding violence, providing alternatives to violence when gangs and individuals in the community make risky behavior decisions, and by increasing awareness of the perceived risks and costs of involvement in violence among high-risk young people.

Financial Impact

This award does not require matching funds from the City of Phoenix but will supplement existing resources.

Employment Impact

This grant is estimated to create or retain up to 17 jobs.

This item is recommended by Mr. Miller and the Neighborhood Services Department.

**ITEM 73**

**CITYWIDE**

**ORDINANCE S-38871 -  
CONTRACT FOR MATERIAL SAFETY DATA  
SHEET ON-LINE DATABASE MANAGEMENT  
SERVICES**

---

Request to authorize the City Manager, or his designee, to enter into a contract with Keller, Helmrich, and Associates, doing business as KHA Online-MSDS, for the management of the City Material Safety Data Sheet (MSDS) database system, and to authorize the City Controller to disburse funds. The total contract value is \$93,600 for three years and two options to extend for one year each.

An MSDS is required by the Occupational Health and Safety Administration (OSHA) for each material or product with a chemical constituent the City of Phoenix uses. MSDSs must be readily available for inspection by employees, and must be retained for 30 years.

The City's MSDS database software program is antiquated and no longer supported by the Information Technology Services Department. A Selection Committee identified KHA Online-MSDS as the highest-scoring responsive and responsible vendor. The new software will provide a significant service level enhancement in addition to reducing internal staff time and costs.

Financial Impact

Funding is available for this project from the Office of Environmental Programs' Operating budget.

Employment Impact

This contract will create one private sector job.

This item is recommended by Mr. Naimark and the Office of Environmental Programs.

**ITEM 74**

**DISTRICT 5**

**ORDINANCE S-38872 -  
AMEND ORDINANCE S-35877 - UTILITY  
EASEMENT FOR RECYCLED WATER PIPELINE  
AT CAMELBACK RANCH**

---

Request to amend Ordinance S-35877, adopted February 4, 2009, to modify the legal description to add the north area of easement that has been abandoned by Salt River Project. The approximate size of the addition is 22 feet by 108 feet.

The above referenced ordinance authorized the grant of a public utility easement to the City of Glendale for sewer and reclaimed water lines in the right-of-way of Ballpark Boulevard (111th Avenue) at Camelback Ranch.

This action is needed to comply with Law Department recommendation.

All other provisions of Ordinance S-35877 remain the same.

This item is recommended by Mr. Krietor and the Planning and Development Director.

**ITEM 75**

**CITYWIDE**

**ORDINANCE S-38873 -  
2012-2013 NEIGHBORHOOD BLOCK WATCH  
GRANT PROGRAM AWARDS**

---

Request to authorize the City Manager to execute contracts between the Phoenix Police Department and 185 Neighborhood Block Watch Grant Program (NBWGP) applicants recommended for funding by the NBWGP Board. With City Council's approval of these recommendations, a six-week appeal period begins. At its conclusion, the NBWGP will return to Council with recommendations regarding any appeals for Council final approval of any revisions. Authorization is also requested for the City Controller to disburse funds in the amount of \$1,200,000.

The NBWGP Oversight Committee was established to solicit, evaluate, and recommend to the Mayor and City Council appropriate proposals to expend funds for the expansion of Block Watch programs within the limits of the Neighborhood Protection Ordinance. This ordinance, known as Proposition 301, was adopted at a special election on October 5, 1993. The City Council adopted the format and guidelines for this process on April 26, 1994.

The NBWGP application process involves the following:

- Submittal of grant applications by eligible applicants.
- Review and scoring of all applications by the NBWGP Oversight Committee.
- NBWGP Oversight Committee recommendations for funding are heard by City Council for approval.
- Appeal process begins for those applicants who were denied partial or full funding.
- NBWGP Oversight Committee will make recommendations on all appeals to City Council.
- City Council will review the recommendations for final approval.

This year, the application process opened on January 3, 2012, and closed on February 3, 2012; 211 grant applications were received. During March 2012, the NBWGP Oversight Committee members scored their assigned applications in each of the four rating criteria:

Crime prevention	50%
Budget evaluation	20%
Project viability/feasibility/experience	15%



development, design, and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads, and other modes of transportation. This authorization excludes any transaction involving an interest in real property.

Employment Impact

The estimated number of jobs to be created or retained is less than six.

Financial Impact

Funding for this project is available in the Water Services Department's Capital Improvement Program budget utilizing Public Works Energy Conservation Set Aside as follows:

PW34030043	Water Funds	\$196,754.40
PW34030042	Wastewater Funds	\$295,131.60
		<u>\$491,886.00</u>

This Council award is subject to execution of the agreement by all of the parties.

The Public Works and Water Services Departments concur with this request.

This item is also recommended by Mr. Naimark, Mr. Miller, and the Street Transportation Department.

**ITEM 78                      DISTRICT 7                      ORDINANCE S-38876 -  
WS90100089 - 91ST AVENUE WWTP  
MECHANICAL SLUDGE DEWATERING  
CENTRIFUGE EXPANSION - DESIGN-BID-BUILD**

Report of three bids received in compliance with Arizona Revised Statutes, Section 34-603 by the Street Transportation Department on April 17, 2012, to provide construction services in support of the 91st Avenue Wastewater Treatment Plant (WWTP) Mechanical Sludge Dewatering Centrifuge Expansion project. This project will convert one sludge thickening centrifuge to a dewatering centrifuge. The three bids were sent to the Equal Opportunity Department to determine subcontractor eligibility and general contractor responsiveness in meeting the project's Small Business Enterprise (SBE) goal. All three bids were found responsive.

Bids ranged from a low of \$1,570,000 to a high of \$1,884,884. The Engineer's estimate, the second low bidder, and lowest responsible bidder, indicated by an asterisk, are listed below:

	<u>Total</u>	<u>SBE Goal</u>
Engineer's Estimate	\$1,691,000	4%
PCL Construction, Inc.	\$1,570,000*	4.49%
J.R. Filanc Construction Co.	\$1,611,705	9.56%

Recommendation

The City Engineer recommends award of the base bid to the lowest responsible bidder, PCL Construction, Inc. (Tempe, Arizona), in the amount of \$1,570,000; and further authorizing the City Controller to disburse funds for the purpose of this ordinance.

Employment Impact

The estimated number of jobs to be created or retained is 17.

Financial Impact

Funding is available in the Water Services Department's Capital Improvement Program budget as follows:

<u>Project</u>	<u>Funding</u>	<u>Total</u>
WS90100089-1	Fund 0090 - Water Revenue and Fund 0400 - Sub-regional Operating Group	\$1,570,000

Previous City Council Action

The City Council approved Design Services Contract 130616 on April 18, 2011.

Citizen Notification

Public notification will be provided by the contractor during construction.

The Water Services Department concurs with this request.

This Council award is subject to execution of the agreement by all of the parties.

This item is also recommended by Mr. Miller.

**ITEM 79**

**DISTRICT 8**

**ORDINANCE S-38877 -  
AR00000009 - ARIZONA OPERA ADDITION  
CONSTRUCTION MANAGER AT RISK  
CONSTRUCTION CONTRACT AWARD**

---

Request to authorize the City Manager, or his designee, to enter into an agreement with Brignall Construction Company, Phoenix, Arizona, to provide Construction Manager at Risk (CMAR) construction phase services for new construction and site improvements for the Arizona Opera; and further request the City Controller to disburse the funds for the purposes of this ordinance.

The Arizona Opera is located at 1636 North Central Avenue, Phoenix, Arizona. A new rehearsal hall of approximately 6,000 square feet will be built as a freestanding building adjacent to the existing building. Site improvements include parking reconfiguration, new drop-off location, truck loading area, perimeter landscaping, and pedestrian circulation spaces.

Brignall Construction Company was chosen for this project using a qualifications-based selection process as authorized by Section 34-603 of the Arizona Revised Statutes. Based on this selection process, this firm was determined to be the most qualified to provide the required services for this project.

Employment Impact

The estimated number of jobs created or retained is 23.

Financial Impact

The CMAR's construction fee for these construction services shall not exceed \$2,082,135.43, which includes all subconsultant, subcontractor, and reimbursable costs. Construction funds are available from 2006 Cultural Bond funds (3367) and private funds.

SBE Report

A Small Business Enterprise (SBE) subcontractor participation goal of 13 percent has been established for this project.

Previous City Council Action

City Council approved CMAR Design Phase Services Contract 133132 on April 4, 2012.

Citizen Notification

Two public informational meetings were held on November 7 and January 24.

This Council award is subject to execution of the agreement by all of the parties.

The Office of Arts and Culture concurs with this request.

This item is also recommended by Mr. Young and the Street Transportation Department.

**ITEM 80**

**DISTRICT 8**

**ORDINANCE S-38878 -  
AV10000001 (AV10000006) - AIRPORT CAPITAL  
IMPROVEMENT PROGRAM MANAGEMENT FIRM  
- CONTRACT AMENDMENT**

---

Request to authorize the City Manager, or his designee, to execute Contract 122375 Amendment 6 with URS Corporation, previously operating as URS Corporation Americas, to provide for the planned continuation of program management services required to support the needs of the Aviation Department's Capital Improvement Program, which includes the PHX Sky Train, as

well as other terminal and airfield projects; and further authorizing the City Controller to disburse funds for the purpose of this ordinance. This contract amendment exercises the first of five, one-year options to extend the contract services and increases the contract amount by \$4,000,000, which increases the total contract fee to \$30,424,950.

URS Corporation was chosen for this project using a qualifications-based selection process authorized by Section 34-603 of the Arizona Revised Statutes as managed by the City Engineer.

On October 10, 2007, the City Council approved the URS Corporation contract for an initial five-year term, with five additional one-year options. The Notice to Proceed was issued on November 28, 2007.

Employment Impact

The estimated number of jobs to be created or retained is 44.4.

-  
Financial Impact

URS Corporation's fee shall not exceed \$4,000,000 for this extension period, including all subconsultant and allowable costs. Funds are available from the Aviation Department's Capital Improvement Program.

This Council award is subject to execution of the agreement by all of the parties.

This item is recommended by Mr. Krietor and the Aviation and Street Transportation Departments.

**ITEM 81**

**DISTRICT 8**

**ORDINANCE S-38879 -  
AV17000043 - SKY HARBOR AIRPORT  
COMMAND CENTER PROGRAMMING SERVICES**

Request to authorize the City Manager, or his designee, to enter into an agreement with M. Arthur Gensler Jr. & Associates, Inc., dba Gensler, Phoenix Arizona (Gensler), to provide programming phase services for the Phoenix Sky Harbor International Airport Command Center; and further request authorization for the City Controller to release the necessary funds for the purposes of this ordinance in an amount not to exceed \$450,000. The agreement may contain other terms and conditions deemed necessary or appropriate by the City Manager or the Aviation Director.

The Architect was chosen for this project using a qualifications-based selection process as authorized by Section 34-603 of the Arizona Revised Statutes. Based on this selection process, Gensler was determined to be the most qualified to provide the required services for this project.

This initial consultant study phase is for the expansion and modernization of the Phoenix Sky Harbor International Airport Emergency/Command Center. These initial phase services will consist of: site selection alternatives, building programming, review of existing technology and functions, and making recommendations on aviation industry best practices for modernization of airport Emergency/Command Centers. The consultant will also be providing scheduling and cost estimates for the various options.

Potential additional consultant services that will be brought to City Council for approval after this study phase is completed will be for design services and construction administration services.

Additionally, request to authorize the City Manager to take all action as may be necessary or appropriate, and to execute all utilities-related design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads, and other modes of transportation. This authorization excludes any transaction involving an interest in real property.

Employment Impact

The estimated number of jobs created or retained is five.

Financial Impact

The Architect's fee shall not exceed \$450,000, including all subconsultant and allowable costs. Funding for these services is available in the Aviation Department's budget using Revenue Bond Fund (1391).

This Council award is subject to execution of the agreement by all of the parties.

This item is recommended by Mr. Krietor and the Aviation and Street Transportation Departments.

**ITEM 82**

**DISTRICT 8**

**ORDINANCE S-38880 -  
AMEND ORDINANCE S-38444 - APPLY FOR AND  
ACCEPT TRANSPORTATION ENHANCEMENT  
FUNDS FOR 1ST STREET - MCKINLEY TO  
ROOSEVELT**

---

Request to authorize the City Manager, or his designee, to amend Ordinance S 38444. The City Council approved Ordinance S-38444 on January 4, 2012, authorizing the City Manager to apply for and accept up to \$1,500,000 in Federal Transportation Enhancement funds for the 1st Street project from McKinley Street to Roosevelt Street; and authorize the City Controller to receive funds, if awarded.

In order to enhance the City's application submittal for the Round 19 Transportation Enhancement Grant, the Street Transportation Department was asked to include the following language in Ordinance S-38444:

- Commit to a 5.7 percent match or overmatch.
- Commit to funding the project scoping document, environmental, right-of-way, and utility clearances, and design as applicable.
- Commit that the project will be ready for advertisement in 36 months from Notice to Proceed.
- Commit to pay for all applicable project overruns.
- Commit to reimburse the Arizona Department of Transportation (ADOT) and the Federal Highway Administration for all federal funds used if the project is canceled by the City of Phoenix.
- Commit to the ADOT review fee not to exceed \$5,000, which is typical.

The above mentioned language is a formality for the Transportation Enhancement application process and in no way commits the City to any additional work or funds other than what is reasonable and consistent with what was originally anticipated for the City's participation in this project, should it be awarded.

**Employment Impact**

If the grant is awarded and the project complete, it potentially will create or retain up to 22 jobs for design and construction.

This item is recommended by Mr. Naimark and the Street Transportation Department.

**ITEM 83**

**OUT OF CITY**

**ORDINANCE S-38881 -  
AV41000067 FAA - GOODYEAR AIRPORT  
TAXIWAY ALPHA LIGHTING AND SIGNAGE  
MODIFICATION - DESIGN SERVICES**

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Request to authorize the City Manager, or his designee, to enter into an agreement with Morrison Maierle, Inc. (Tempe, Arizona), to provide design services for the Goodyear Airport Taxiway Alpha Lighting and Signage Modification project. Authorization is also requested for the City Controller to disburse funds for the purpose of this ordinance.

This project will include relocation of existing hold bars and mandatory signs to 260 feet from the runway centerline, installation of runway guard lights at various Taxiway Alpha intersections, pavement striping and layout, drainage, electrical, runway lighting adjustment, and signs. The Engineer's services will include, but are not limited to: surveying, topographic surveys, field investigations, develop and update Master Signage Plan, design and preparation of plans, and specifications suitable for competitive bidding.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate, and to execute all design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads, and other modes of transportation. This authorization excludes any transaction involving an interest in real property.

Morrison Maierle, Inc. was selected through a qualifications-based selection process in accordance with Section 34-603 of the Arizona Revised Statutes.

Employment Impact

The estimated number of jobs to be created or retained is one.

Financial Impact

The Engineer's fee shall not exceed \$80,000, including all subconsultants and reimbursable costs. Staff anticipates reimbursement from the Federal Aviation Administration Grant Airport Improvement Program.

DBE Report

A Race- and Gender-Neutral Disadvantaged Business Enterprise (DBE) participation in the amount of 4.19 percent has been established for the subconsultant's participation for this project.

This Council award is subject to execution of the agreement by all of the parties.

This item is recommended by Mr. Krietor and the Aviation and Street Transportation Departments.

**ITEM 84**

**CITYWIDE**

**ORDINANCE S-38882 -  
4108JOC108 - STREET TRANSPORTATION  
DEPARTMENT LANDSCAPE MAINTENANCE  
JOB ORDER CONTRACT AWARD**

---

Request to authorize the City Manager, or his designee, to enter into an agreement with DLC Resources, Phoenix, Arizona, to provide landscape maintenance Job Order Contracting (JOC) services and to execute contract options as necessary. Additionally, authorization is requested for the City Controller to disburse funds.

The JOC contract will be for a 36-month period and a total initial contract amount of \$7,500,000 with an option to renew based on the contractor's satisfactory performance, the City's need for additional services, and funding availability. The contract will have the option to renew for an additional 24-month term or the balance of the maximum contract amount of \$12,500,000 including all JOC amendments. Authorization is requested to execute job order/project agreements performed under these JOCs for up to \$1,500,000 each in construction costs, and in no event will any job order exceed this limit unless approved by the City Council to specifically change expenditure limits.

The JOC contractor will be utilized on an as-needed basis to provide citywide maintenance and as-needed restoration of established right-of-way landscaping, irrigation system repair and restoration, including backflow prevention systems repair and testing, and remote control of irrigation controllers for water conservation within City of Phoenix and Arizona Department of Transportation (ADOT) right-of-way.

The JOC contracts have limits that herein establish contracting capacity, rather than encumbrance of funds. The encumbrances of funds against these JOC contracts occur as contract services are identified and negotiated for a specific project/job order.

The Contractor was chosen for this project using a qualifications-based selection process as authorized by Section 34-603 of the Arizona Revised Statutes and managed by the City Engineer.

Additionally, request to authorize the City Manager to take all action as may be necessary or appropriate, and to execute all utilities-related design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads, and other modes of transportation. This authorization excludes any transaction involving an interest in real property.

Employment Impact

The estimated number of jobs created or retained is up to 139 if the contract capacities are fully utilized.

Financial Impact

General, enterprise, capital improvement, bond, grant funds, and/or various other funds may be used. Budget and Research will approve the availability of funds prior to issuing any job order.

Citizen Notification

The public will be notified on each project/job order if notification is required.

This Council award is subject to execution of the agreement by all of the parties.

The Street Transportation Department concurs with this request.

This item is also recommended by Mr. Naimark.

**ITEM 85**

**CITYWIDE**

**ORDINANCE S-38883 -  
IT CONSULTING/ PROGRAMMING SERVICE FOR  
STREET TRANSPORTATION DEPARTMENT**

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Request to authorize the City Manager, or his designee, to negotiate and enter into agreements with two firms to provide information technology consulting/ programming services for the Street Transportation Department, and to authorize the City Controller to disburse funds for the payment of services performed on these agreements. Funds are disbursed as approved services are conducted.

Nine responsive proposals were received by the Street Transportation Department on April 13, 2012, in response to the Request for Proposals (RFP) 63-0008 IT Consulting/Programming Service. The purpose of this RFP was to establish a pool of vendors to supply temporary IT analyst/programmers on an as-needed basis to provide maintenance on applications vital to the support of Street Transportation Department. This includes maintenance on the Street Transportation Department work order systems, databases, and applications. All technology projects will be maintained based on specifications provided under the direction of the Information Technology (IT) Project Manager.

Based on the results and recommendation by the evaluation panel, the Street Transportation Department recommends that two firms be accepted for agreements as follows: Analysts International Corporation (AIC), and CyberTech Systems and Software, Inc. Contracting with two vendors will allow flexibility to assure responsiveness. The combined total to be paid to these two firms will not exceed \$380,000. The agreements awarded will be effective July 1, 2012 through June 30, 2013, and will contain an option to extend for four additional one-year periods covering the period July 1, 2013 through June 30, 2017.

**Employment Impact**

If all funds were to be expended under these two agreements, it is estimated that four jobs would be created or retained.

-

**Financial Impact**

Funds are available in the Street Transportation Department's Fiscal Year 2012-2013 Operating budget using General funds and Arizona Highway User Revenue.

This item is also recommended by Mr. Naimark.

**ITEM 86**

**CITYWIDE**

**ORDINANCE S-38884 -  
TELECOMMUNICATIONS SERVICES LICENSE  
TO MCI COMMUNICATIONS SERVICES, INC.**

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Request to authorize the City Manager, or his designee, to grant a non-exclusive, revocable license to MCI Communications Services, Inc. to install, operate, maintain, and use a telecommunications system in, under, over, and across public highways and public rights-of-way to provide interstate telecommunications services, providing that the license is subject to the terms and conditions contained in the license and the Phoenix City Code; providing that the license shall expire five years from the effective date of the license. Further, authorizing the City Manager to execute a license and provide for the license to be void if not signed within 60 days.

The license includes requirements for insurance, a performance bond, a security fund, installation and operation of facilities, abandonment of facilities, and for transferability and revocation of the license.

**Employment Impact**

No funds are being expended because of this agreement; therefore, no jobs will be directly created or retained.

This item is recommended by Mr. Naimark and the Street Transportation Department.

**ITEM 87**

**CITYWIDE**

**ORDINANCE S-38885 -**

**STREET TRANSPORTATION DEPARTMENT  
AFTER-HOURS TELEPHONE ANSWERING  
SERVICE**

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Request to authorize the City Manager, or his designee, to negotiate and enter into a contract with Calls Plus to provide after-hours telephone answering services for the Street Transportation Department, and to authorize the City Controller to disburse funds for the payment of equipment and services provided in this contract.

The contract will allow for one year of service with the option for four, one-year extensions. Fees for each year will not exceed \$40,000. If all of the contract extensions are approved, fees for the entire five-year period will not exceed \$200,000.

The City of Phoenix issued a Request for Proposal (RFP) to provide after-hours telephone answering services for the Street Transportation Department. This service is used to answer and dispatch after-hours emergency calls. These calls include traffic signal outages and malfunctions; missing signage; flooding issues; and debris blocking roadways and/or sidewalks. Six responses to the RFP were received on April 17, 2012. The responses were evaluated on the basis of qualifications and experience; method of approach for transition; reporting and budget controls; and pricing. The top two proposers were invited for interviews. The evaluation panel selected Call Plus as the most qualified respondent.

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Employment Impact

The one-year contract will create or retain less than one job.

-  
Financial Impact

Funds are available in the Street Transportation Department's Operating budget as follows:

<u>Cost Center</u>	<u>Fund Source</u>	<u>Amount</u>
6300001100	General Fund - 0001	\$40,000

This item is recommended by Mr. Naimark and the Street Transportation Department.

**ITEM 88**

**CITYWIDE**

**RESOLUTION 21050 -  
ISSUANCE OF ONE OR MORE SERIES OF THE  
PHOENIX IDA EDUCATION REVENUE BONDS  
(BENEDICT COLLEGE PROJECT), SERIES 2012 -  
EMERGENCY CLAUSE**

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Request to grant approval for the issuance of up to \$85,000,000 of The Industrial Development Authority of the City of Phoenix, Arizona (the "Phoenix IDA") Education Revenue Bonds (the "Bonds") for Benedict College (the "Applicant"), a non-profit corporation operating a private, co-educational liberal arts institution in Columbia, South Carolina, to: a) finance, or refinance, the cost of acquiring, renovating, improving, and equipping the land and buildings located at the project site (the "Project"); b) refund certain outstanding bonds that financed or refinanced the construction, acquisition, renovation, and equipping of various other facilities, including completion of certain components of the Applicant's ten year facility plan for the Harden Street campus; c) to refinance certain taxable indebtedness incurred to finance various school-related facilities; and d) to pay certain costs related to the issuance of the Bonds.

The Bonds will not involve the credit or financial backing of the City of Phoenix or its taxpayers. The City of Phoenix will not incur any costs as a result of the project. The Bonds will not affect the bonding capacity of the City of Phoenix, the Phoenix IDA, or any other political subdivision of the State.

As provided in Arizona Revised Statutes §35-706(A)(16), the Phoenix IDA may issue its Bonds for a project outside the State of Arizona if its Board of Directors has determined that the issuance of the Bonds will provide a benefit within the State of Arizona. On May 17, 2012, the Phoenix IDA Board of Directors adopted a resolution authorizing the issuance of the Bonds and determined that the issuance of the Bonds will provide a benefit within the State of Arizona by generating approximately \$97,000 in up-front fees, and approximately \$52,000 annually in assessment fee income over the expected life of the bonds, to the Phoenix IDA to fulfill its economic development goals, including community investments within the City of Phoenix.

Emergency Clause Justification

Market timing and interest rate changes can negatively impact financing opportunities. As a result, it is standard practice to request the use of the emergency clause to take advantage of favorable market conditions, thus allowing for the bond closing to occur as soon as possible.

This item is recommended by Mr. Cavazos and the Finance Department.

**ITEM 89**

**DISTRICT 2**

**RESOLUTION 21051 -  
APPLY FOR GROWING SMARTER STATE  
TRUST LAND ACQUISITION PROGRAM GRANT**

Request to authorize the City Manager, or his designee, to apply for up to \$15,000,000 through the Growing Smarter State Trust Land Acquisition Program through Arizona State Parks. Funds will assist in the acquisition of lands for the Sonoran Preserve Priority 3D.

The Growing Smarter State Land Acquisition Program was established "to conserve open spaces in or near urban areas and other areas experiencing high growth pressures." This program was created by the Arizona voter-approved Proposition 303 Growing Smarter Act in 1998 and is administered by Arizona State Parks. Funding for land conservation is provided on a dollar-for-dollar basis to municipalities, counties, and non-profits.

The requested grant funds will be used in conjunction with available Phoenix Parks and Preserves Initiative (PPPI) monies to acquire all of Priority 3D (approximately 1,546 acres located near Sonoran Boulevard and 24th Street) in the Sonoran Preserve. From 2006 through 2011, Priorities 1, 2A-D, and 3A-C, totaling 7,578 acres, were purchased by the City at public auction from the Arizona State Land Department utilizing the Growing Smarter State Trust Land Acquisition Program funding to cover 50 percent of the costs.

**Financial Impact**

Matching funds of up to \$15,000,000 are available in the 2012-2013 Parks and Recreation Department Capital Improvement Program using PPPI.

This item is recommended by the Acting Parks and Recreation Director.

This item is also recommended by Mr. Miller.

## **NEW BUSINESS**

### **ITEM 90**

**CITYWIDE**

### **EXTENSION TO SOFTWARE MAINTENANCE AGREEMENT 127026 - CGI TECHNOLOGIES AND SOLUTIONS, INC.**

Request to exercise the fourth year of a four-year software license Agreement 127026 with CGI Technologies and Solutions, Inc. (CGI) for on-going support of the City's budget software, Budget Reporting and Analysis Support System (BRASS). CGI is the sole provider of computer software licensing for this software. This extension is for the period July 1, 2012 through June 30, 2013.

The City has used BRASS as an effective tool for the preparation, monitoring, analysis, and updating of the annual budget since 1997. This system is also used for the projection of annual salary and benefit costs. At present, the City has over 200 BRASS users citywide under a site license. Without the site license, staff would be limited in its ability to accurately and effectively address budgetary issues.

The current annual cost associated with this licensing agreement, including tax, is \$83,561 and includes the delivery of all future software upgrades throughout the life of the agreement. CGI periodically releases BRASS upgrades that further enhance reporting capabilities of the system and allow system users to more effectively utilize budget data. Extension of this agreement will insure the City continues to receive BRASS upgrades and subsequent technical support from CGI.

#### **Financial Impact**

The total cost for 2012-2013 (including tax) is approximately \$89,000. Funding is available in the Budget and Research Department's Operating budget.

This item is recommended by Mr. Zuercher and the Budget and Research Department.

### **ITEM 91**

**CITYWIDE**

### **AGREEMENT WITH INVESTIGATIVE RESEARCH, INC. TO PROVIDE INVESTIGATION SERVICES**

Request to authorize the City Attorney, through the City Manager, to enter into a contract with Investigative Research, Inc. to provide investigation services for the Law Department and Risk Management. Investigative Research, Inc. shall provide investigative services to the City with respect to projects for which the scope of work will be determined on a project-by-project basis. The term of the contract is for a two-year period with an additional one-year option.

In November 2011, the Law Department issued a Request for Qualifications (RFQ) for legal support services. One of the services included in the RFQ was for investigation services. Seven firms responded to the RFQ and were found to be qualified, including Investigative Research, Inc.

The City of Phoenix relies on the assistance of professional investigation service firms. They provide vital information on such items as: liability defense cases, employment issues, fraud claim investigations, and asset search investigation. City staff does not have the qualifications or resources to accomplish these investigations. These investigation service firms bridge vital gaps in defending the City against lawsuits and otherwise ensure the Law Department operates efficiently and effectively.

Investigative Research, Inc. has a contract with the City of Phoenix that expires June 30, 2012. The firm is currently providing investigation services on existing cases and a current contract is required to ensure no lapse of service.

#### **Financial Impact**

Rates for Investigative Research, Inc. are established in their proposal. Payments will be made primarily from the City's Self Insurance Reserve funds and are not anticipated to exceed \$35,000 annually.

This item is recommended by Mr. Cavazos and the Law Department.

### **ITEM 92**

**CITYWIDE**

### **TELEVISIONING CITY COUNCIL SUBCOMMITTEE MEETINGS**

Request to televise City Council Subcommittee meetings. The Public Safety, Veterans, Transparency, and Ethics Subcommittee on April 24, 2012, voted to recommend the City Hall first floor Assembly Rooms for live subcommittee meeting broadcasts,

utilizing robotic cameras. Funding for one-time capital costs is available through special restricted funds for Cable Capital Development.

These funds can only be used for infrastructure to enhance the City of Phoenix's cable TV system. On-going, annual operating costs are being recommended to be paid through the General Fund and have been requested as part of the 2012-2013 proposed budget process.

- To improve accessibility and transparency of the City's public meetings, in February 2012, Mayor Stanton requested the City Manager evaluate the feasibility and costs of installing infrastructure to support televising the 60 City Council Subcommittee meetings held each year.

- Currently, PHX11 televises City Council Policy meetings and, on April 4, 2012, began televising City Council Formal and Zoning meetings. Similar to what already occurs with these meetings, PHX11 would air Subcommittee meetings live on Channel 11, which reaches 219,000 Phoenix households that subscribe to Cox Cable, and live stream the meetings on phoenix.gov and Facebook anywhere in the world. The meeting video also will be posted on the City's YouTube channel after the meeting.

At Public Safety, Veterans, Transparency, and Ethics City Council Subcommittee meetings on April 11 and April 24, 2012, members of the Subcommittee expressed the preference for utilizing robotic cameras that can pan and zoom, as opposed to fixed cameras that provide one static, constant wide shot. Subcommittee members also voted to approve the City Hall first floor Assembly Rooms as the new Subcommittee meeting location and to equip the room with cameras and other broadcasting equipment. Cost estimates for robotic cameras for the City Hall 12th floor City Council Subcommittee Room and City Hall first floor Assembly Rooms are listed in the table below.

The Public Information Office (PIO) worked with Information Technology Services (ITS), Public Works, City Clerk, and Budget and Research Departments to develop cost estimates for televising City Council Subcommittee meetings. Equipment that would need to be purchased as a one-time capital cost includes: three robotic video cameras and software; production equipment; an audio system; and a modem to connect fiber wire to the television system, along with a contractor or contractors to install, engineer, and train staff on the new system.

Funding for one-time capital costs is available through special restricted funds for Cable Capital Development. These funds can only be used for infrastructure to enhance the City of Phoenix's cable TV system. Annual, on-going General Fund operating costs of \$37,100 are being requested as part of the 2012-2013 proposed budget process and would be added to an existing Public Works' audio-visual contract and PHX11's video engineering and closed captioning contracts. These contract additions would be brought forward to the City Council for consideration at a future City Council meeting. Estimates for the two locations are listed below:

Options	Location Option	One-Time Capital Cost (ITS Cable Development Funds, No General Funds)	On-going Annual Operating Costs (General Fund)	Total First-Year Costs
A	Subcommittee Room - Robotic	\$108,300	\$37,100	\$145,400
B	Assembly Room - Robotic	\$147,600	\$37,100	\$184,700

The Subcommittee Room is more intimate and would have a lower one-time capital expense. The Assembly Room is larger and would more easily handle highly attended meetings, but the initial capital cost is more. The general public is likely to find the Assembly Room more accommodating. For the one-time capital project, PIO would conduct a Request for Proposals (RFP) process, following all City transparency regulations and alerting qualified firms of this procurement.

- Staff requests that the City Council take action on the following measures:

1. Approve the City Council first floor Assembly Rooms to be equipped with robotic cameras for live broadcast of 60 annual City Council Subcommittee meetings (Option B above), as was unanimously recommended by the Public Safety, Veterans, Transparency, and Ethics City Council Subcommittee. Funding of \$147,600 for one-time capital costs is available through special restricted funds for Cable Capital Development. These funds can only be used for infrastructure to enhance the City of Phoenix's cable TV system. Staff would not move forward with the equipment purchase unless necessary operating funds are included in the 2012-2013 City budget.

2. Approve PIO issuing an RFP to recommend to City Council a company or companies to purchase and install a new system and train staff.

This item is recommended by Mr. Krietor and the Public Information Office.

**ITEM 93**

**DISTRICT 7**

**PD0000041 - FAMILY ADVOCACY CENTER  
FACILITY REMODEL - CMAR CONSTRUCTION  
PHASE SERVICES - CHANGE ORDER 1**

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Request to authorize the City Manager to approve Change Order 1 in the amount of \$136,500 to the Family Advocacy Center Facility Remodel CMAR Construction Phase Services Contract 127104 with Jokake Construction.

This change order is required for additional installation of Americans with Disabilities Act hand rails and electrical feeds to meet new design requirements. Improved egress and accessibility did not meet current code requirements. The facility is located at 2120 North Central Avenue. These items were not included in the original scope of work.

Financial Impact

The original contract amount was \$1,096,791.20. This requested Change Order 1 for \$136,500 will bring the total Construction Manager at Risk (CMAR) construction phase services contract amount to \$1,233,291.20. Funding for this change order is available using Public Works Department's Capital Projects Replacement funds.

Previous City Council Action

The original contract was approved by City Council on October 21, 2009.

Employment Impact

The estimated number of private sector jobs created or maintained by this contract is approximately one.

Citizen Notification

There have been no notifications or meetings held to date on this project.

This item is recommended by Mr. Naimark and the Public Works Department.

**ITEM 94**

**CITYWIDE**

**INTERGOVERNMENTAL AGREEMENT WITH  
MARICOPA COUNTY ANIMAL CARE AND  
CONTROL SERVICES**

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Request to authorize the City Manager, or his designee, to enter into an Intergovernmental Agreement (IGA) between the City of Phoenix and Maricopa County Animal Care and Control Services to continue serving as the City's enforcement agent for the animal control provisions of the Phoenix City Code.

The current five-year IGA with Maricopa County Animal Care and Control Services expires on June 30, 2012, and is recommended for renewal. Maricopa County Animal Care and Control serves as the City's dog licensing and enforcement agency. The field services enforcement includes capturing dogs at large and dogs without licenses, handling vicious or biting animals, and providing assistance to law enforcement. The County operates a call center to help field services staff address customer complaints.

Financial Impact

Maricopa County receives funds from the City for animal control field services. The annual operating costs for Fiscal Year 2012-2013 costs are approximately \$2.12 million, a zero percent increase over the prior fiscal year. The funds are available in the Public Works Department's budget. Renewal of the IGA at this funding level will maintain existing service levels. Fees are negotiated annually. Any fee change that exceeds five percent of the preceding fiscal year base fee shall require an amendment to extend the agreement. The recommended term of the agreement is four years for the period of July 1, 2012 through June 30, 2016.

Maricopa County Animal Care and Control Services also collects dog license and other fees to pay for shelter operations and animal care services. These fees are user fees, which are paid by dog owners and those receiving County animal care services.

Employment Impact

The estimated number of private sector jobs created or maintained by this contract is approximately 24.

This item is recommended by the Acting Public Works Director.

This item is also recommended by Mr. Naimark.

**ITEM 95**

**DISTRICT 3**

**ST87600061 - DESIGN AND CONSTRUCTION  
AGREEMENT WITH SALT RIVER PROJECT FOR  
ROYAL PALM PEDESTRIAN BRIDGE**

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Request to authorize the City Manager, or his designee, to enter into a design and construction agreement with Salt River Project. The purpose of this agreement is to relocate a well site gate located at 15th Avenue and Dunlap Road for City of Phoenix Project ST87600061: Royal Palm Pedestrian Bridge.

Employment Impact

The estimated number of jobs to be created or retained is less than one.

Financial Impact

Funding for this agreement in the amount of \$19,500 is available through the Street Transportation Department's Capital Improvement Program budget using Federal Aid (94.3 percent) and Arizona Highway User Revenue (5.7 percent).

Citizen Notification

No citizen notification is required.

This item is recommended by Mr. Naimark and the Street Transportation Department.

**ITEM 96**

**DISTRICT 5**

**PA75200252 - COST DISTRIBUTION AND  
CONSTRUCTION AGREEMENT WITH SALT  
RIVER PROJECT FOR HOLIDAY PARK  
LIGHTING**

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Request to authorize the City Manager, or his designee, to enter into a cost disposition design and construction agreement with Salt River Project. The purpose of this contract is to design and construct electric distribution facilities for City of Phoenix Project PA75200252: Holiday Park Lighting replacement, located at 4530 North 67th Avenue.

Employment Impact

The estimated number of jobs to be created or retained is less than one.

Financial Impact

Funding is available in the 2011-2012 Parks and Recreation Department's Capital Improvement Program using Phoenix Parks and Preserves Initiative.

Citizen Notification

No citizen notification is required.

This item is recommended by Mr. Miller and the Street Transportation Department.

**ITEM 97**

**DISTRICT 8**

**LICENSE AGREEMENT WITH SALT RIVER  
PROJECT FOR ROAD RIGHT-OF-WAY FOR  
CIRCLE K PROPERTY**

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Request to enter into a license agreement with Salt River Project (SRP) along the west side of 16th Street and north side of Southern Avenue adjacent to the Circle K property. The purpose of this license is to allow for roadways, utilities, landscaping, and other public purposes within USA Fee Property.

Further, request authorization pursuant to Phoenix City Code, Section 42-15(B) to indemnify, release, and hold harmless Salt River Project Agricultural Improvement and Power District, the Salt River Valley Water Users' Association, and the United States of America for: (a) acts of omissions of the City, its agents, officers, directors, or employees; (b) the City's use or occupancy of

the licensed property for the purposes contemplated by the license including, but not limited to, claims by third parties who are invited or permitted onto the licensed property, either expressed or implied, by the City or by the nature of the City's improvement or other use of the licensed property pursuant to this license; and (c) the City's failure to comply with or fulfill the City's obligations established by the license or by law.

Either party may terminate this license without cause, subject to 360 days written notice.

Employment Impact

No positions are expected to be created or retained.

Financial Impact

There is no financial impact to the City of Phoenix.

Citizen Notification

No citizen notification is required.

This item is recommended by Mr. Naimark and the Street Transportation Department.

**ITEM 98**

**CITYWIDE**

**AVIATION DEPARTMENT SUSTAINABILITY ON-  
CALL CONSULTING SERVICES FOR FISCAL  
YEARS 2012-2013 AND 2013-2014**

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Request to authorize the City Manager, or his designee, to enter into separate agreements with five firms to provide on-call sustainability consulting services for the Aviation Department during Fiscal Years 2012-2013 and 2013-2014. The not-to-exceed contract limit for each firm will be established at \$300,000.

The on-call consulting services may include United States Green Building Council (USGBC) LEED project reviews and training; innovative technology reviews and recommendations; environmental management system development and reporting; environmental data baseline inventories and reduction plans; energy systems testing, modeling, and auditing and commissioning; sustainability-related studies; and technical reporting on an as-needed basis. These on-call contracts provide the means to allow the Aviation Department to execute work quickly and efficiently without having to individually procure services for each specific project or issue to meet Aviation Department sustainability goals.

The firms were chosen for this project using a qualifications-based selection process as authorized by Section 34-603 of the Arizona Revised Statutes as managed by the City Engineer. Based on this selection process, these firms were determined to be the most qualified to provide one or more of the required services. The firms are as follows:

C&S Engineers, Inc.  
Scottsdale, Arizona

HDR Architecture, Inc.  
Phoenix, Arizona

Leigh Fisher, Inc.  
Burlingame, California

TMCx Solutions, LLC  
Tempe, Arizona

Weston Solutions, Inc.  
Tempe, Arizona

Employment Impact

The total number of jobs expected to be created or retained is 17, if the full contract amount is utilized for each contract.

Financial Impact

The not-to-exceed contract limits stipulated herein establish contracting capacity, rather than an encumbrance of funds. The encumbrance of funds against these on-call contracts will occur as contract services are identified and negotiated for a specific project.

This Council award is subject to execution of an agreement by each of the parties.

This item is recommended by Mr. Krietor and the Aviation and Street Transportation Departments.

**ITEM 99**

**CITYWIDE**

**AVIATION DEPARTMENT ENVIRONMENTAL ON-  
CALL CONSULTING SERVICES FOR FISCAL  
YEARS 2012-2013 AND 2013-2014**

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Request to authorize the City Manager, or his designee, to enter into separate agreements with eight firms to provide on-call environmental consulting services for the Aviation Department during Fiscal Years 2012-2013 and 2013-2014. The not-to-exceed contract limit for each firm will be established at \$500,000.

The on-call consulting services may include environmental assessments, environmental studies, regulatory compliance development, and/or permitting; soil, vapor, and groundwater sampling; oversight of remediation activities; modeling of soil, vapor, and groundwater contamination; remediation projects; and technical reporting on an as-needed basis. These on-call contracts provide the means to allow the Aviation Department to execute work quickly and efficiently without having to individually procure services for each specific project or issue.

The firms were chosen for this project using a qualifications-based selection process as authorized by Section 34-603 of the Arizona Revised Statutes as managed by the City Engineer. Based on this selection process, these firms were determined to be the most qualified to provide the required services. The firms are as follows:

AMEC Environment & Infrastructure, Inc.  
Phoenix, Arizona

Atwell, LLC  
Mesa, Arizona

Clear Creek Associates  
Scottsdale, Arizona

Four Corners Environmental, Inc.  
Glendale, Arizona

Kleinfelder West, Inc.  
Tempe, Arizona

SCS Engineers  
Phoenix, Arizona

Tetra Tech, Inc.  
Phoenix, Arizona

Weston Solutions, Inc.  
Tempe, Arizona

**Employment Impact**

The total number of jobs created or retained is 44, if the full contract amount is utilized for each contract.

**Financial Impact**

The not-to-exceed contract limits stipulated herein establish contracting capacity, rather than an encumbrance of funds. The encumbrance of funds against these on-call contracts will occur as contract services are identified and negotiated for a specific project.

This Council award is subject to execution of an agreement by each of the parties.

This item is recommended by Mr. Krietor and the Aviation and Street Transportation Departments.

**ITEM 100**

**CITYWIDE**

**ASBESTOS AND LEAD PAINT ON-CALL  
CONSULTING SERVICES FOR FISCAL  
YEARS 2012-2013 AND 2013-2014**

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Request to authorize the City Manager, or his designee, to enter into separate agreements and execute contract amendments, as necessary, with 12 firms to provide asbestos and lead paint on-call consulting services during Fiscal Years 2012-2013 and 2013-2014. Each contract will be established with a \$750,000 capacity and a two-year period of service.

The consultants will be utilized on an as-needed basis to provide surveys and other related environmental consulting services, development of specifications and drawings, and remediation oversight services to client departments for projects.

The following firms were chosen for this project using a qualifications-based selection process as authorized by Section 34-603 of the Arizona Revised Statutes. Based on this selection process, the following 12 firms have been determined to be qualified to provide the required services. The selected firms are as follows:

<u>Firm Name</u>	<u>Location</u>
Adams and Wendt, Inc.	Mesa, Arizona
AMEC Environment and Infrastructure, Inc.	Phoenix, Arizona
ATC Associates, Inc.	Tempe, Arizona
Dominion Environmental Consultants, Inc.	Phoenix, Arizona
Four Corners Environmental, Inc.	Glendale, Arizona
FM Group, Inc.	Scottsdale, Arizona
IHI Environmental	Phoenix, Arizona
Liesch Southwest, Inc.	Scottsdale, Arizona

<u>Firm Name</u>	<u>Location</u>
SCS Engineers	Phoenix, Arizona
Terracon Consultants, Inc.	Tempe, Arizona
Versar, Inc.	Chandler, Arizona
Western Technologies, Inc.	Phoenix, Arizona

**Employment Impact**

If the full contract amount is utilized for each contract then 100 jobs would be created or saved.

**Financial Impact**

Fees incurred throughout the contract term will be recovered through charges made directly to the specific Capital Improvement Program projects assigned.

This Council award is subject to execution of the individual agreement by each party.

The Public Works Department concurs with this request.

This item is also recommended by Mr. Naimark and the Street Transportation Department.

**ITEM 101**

**CITYWIDE**

**AMEND AGREEMENT 125964 WITH SAIC,  
ENERGY, ENVIRONMENT & INFRASTRUCTURE,  
LLC**

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Request to authorize the City Manager, or his designee, to amend Agreement 125964 with SAIC, Energy, Environment & Infrastructure, LLC by extending the contract length by one year.

The agreement was amended on June 9, 2010, to extend the contract length by one year and add two, one-year renewal options to the agreement.

The agreement was amended on April 20, 2011, to exercise the first renewal option and extended the agreement to June 30, 2012. This approval will exercise the final renewal option and the term of the agreement shall extend to June 30, 2013, at which

time the agreement will expire.

Approval is required to allow additional time to further assist the Water Services Department Water Resources and Development Planning Division in the evaluation of potential water supplies and related elements in support of the City's water resources and infrastructure planning effort.

Financial Impact

This amendment will not exceed the previously authorized total amount of the original contract, or create any additional jobs.

This item is recommended by Mr. Miller and the Water Services Department.

**ITEM 102**

**DISTRICT 1**

**FINAL PLAT - STETSON VALLEY PARCEL 23 -  
110049**

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The following final plat has been reviewed by the Planning and Development Department in accordance with the provisions of Section 32-21 of the Phoenix City Code of the City of Phoenix, and was approved on May 4, 2012.

Plat 110049

Project 02-1682

Name of Plat: Stetson Valley Parcel 23

A 45-Lot Residential Plat

Generally located at Deems Hill Parkway and 51st Drive

Owner(s): Pulte Group, Inc.

Engineer(s): Entellus

It is recommended the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public.

This item is recommended by Mr. Krietor and the Planning and Development Department.

**REPORTS FROM CITY MANAGER, COMMITTEES, OR CITY OFFICIALS**

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